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A. M. Crane

PREFACE.

AFTER a year of incessant labor the HISTORY OF ALAMEDA COUNTY is now presented to our patrons. From the outset of the undertaking we have given the public to understand that the volume should contain naught but a plain and unvarnished record, as far as it was within our power to obtain, of the chief doings in Alameda, which have been instrumental in placing her in the proud position among the other counties of California which she holds to-day.

To do this has been no easy task, yet, if the task has been laborious, it still has been a toil in which we have received much kind and valuable assistance.

To the pioneer settlers the following pages should be found most interesting, relating as they do the experiences gained in a new country; while the volume, as a whole, should be cherished by their children, embodying as it does the tale of hardships endured by their sires.

In the history of the city of Oakland we have been especially careful that little that is interesting should be left out; the chronicles of its early days, though lengthy, will be found replete with much valuable information.

In conclusion we would here tender our best thanks to those who aided us with appropriate suggestions and valuable information. To the gentlemen of the Oakland journals, the *Tribune* and *Times*; to Mr. Bartlett of the Livermore *Herald* and to Frank Moffitt of the Newark, *Enterprise* are our thanks due for many kind notices and several other courtesies; while we owe a debt of gratitude to the officials of the county and city—one and all—for making easy the task of gathering notes from the records, when it would otherwise have been most tedious and difficult.

Mr. D. D. Fagan had an interest in the publication of this work, and during the most of the time of his connection with the firm was active in procuring subscriptions.

Our work has gone far beyond the limits originally intended, thereby necessitating much extra expense. But if what has been done finds favor with the community, then our undertaking shall not have been in vain.

M. W. WOOD.

J. P. MUNRO-FRASER,
Historian.

2-5228

INDEX.

	Page		Page
Geography.	9	1860.	221
Area.	9	1861.	222
Geology and Mineralogy.	10	1862.	223
Contra Costa Hills.	15	1864.	227
Monte Diablo Group.	20	1865.	230
Monte Diablo.	24	1866.	232
Topography.	31	1867.	234
Climatology.	32	1868.	236
Soil and Productions.	34	1869.	238
Pomology.	36	1870.	239
Salt-making.	37	1871.	242
Earthquakes.	39	1872.	244
Aborigines.	40	1873.	253
EARLY HISTORY.	47	1874.	262
THE BEAR FLAG.	131	1875.	271
LEGISLATIVE HISTORY.	164	1876.	273
Organization of Alameda County.	165	1877.	275
Original Boundary of Contra Costa County.	165	1878.	277
Creation of Alameda County.	166	1879.	280
Original Boundary of Alameda County.	166	1880.	283
Present Boundary of Alameda County.	167	1881.	285
Senatorial Districts.	168	1882.	286
Congressional Districts.	168	Table of Taxation.	287
Judicial Districts.	168	Table of County Officers.	288
Court of Sessions.	169	MEXICAN GRANTS.	297
Original Township Boundaries.	171	El Valle de San José.	297
Oakland.	171, 172	San Ramon.	297
Contra Costa.	171	San Lorenzo.	298
Clinton.	171, 172	San Leandro.	302
Eden.	171, 172	El Sobrante.	308
Washington.	171, 172	Table of Land Claims.	333
Murray.	171, 172	Table of Ranchos.	335
Present Township Boundaries.	172	CRIMINAL HISTORY.	336
Alameda.	172	1853.	338
Brooklyn.	172	1854.	339
Eden.	173	1855.	339
Murray.	174	1856, 1857.	340
Oakland.	174	1858.	340
Washington.	174	1859.	340
Board of Supervisors.	175	1860.	341
Election Precincts.	175	1861.	341
Road Districts.	176	1863.	342
School Districts.	178	1865.	342
POLITICAL HISTORY.	178	1866.	343
Military Government.	182	1867.	344
Constitutional Convention.	183	1868.	348
San José made State Capital.	184	1869.	351
Members of First Legislature.	185	1870.	352
Senators.	185	1871.	353
Assemblymen.	186	1872.	360
Governor Burnett assumes office.	187	1873.	362
State Capital removed.	187	1874.	363
Political History prior to 1853.	191	1875.	365
Gilman (Twelfth Street) Bridge.	191, 201	1876.	365
The Records.	196	1877.	367
1853.	197	1878.	368
1854.	200	1879.	368
1855.	204	1880.	369
1856.	207	1881, 1882.	371
1857.	209	ALAMEDA TOWNSHIP	
1858.	210	Geography.	372
1859.	211	Topography.	372

Streams.....	372	Brooklyn Tannery.....	428
Climate.....	372	East Oakland Planing Mills.....	428
Soil.....	373	Brooklyn Manufacturing Company.....	428
Products.....	373	East Oakland Brewery.....	428
Timber.....	373	Brooklyn Brewery.....	428
Mexican Grants.....	374	Badger's Park.....	429
Early Settlement.....	374	Cotton and Jute Factory.....	430
1850.....	374	Melrose.....	430
1851.....	375	Castle Dome Smelting Works.....	430
1852.....	375	Pacific Reduction Works.....	430
1853.....	376	Fitchburg.....	430
1854.....	376	EDEN TOWNSHIP.....	432
1855 to 1869.....	377	Geography.....	432
1869.....	378	Topography.....	432
1870.....	379	Valleys.....	432
1871.....	380	Streams.....	432
1872.....	381	Climate.....	432
1873.....	383	Soil.....	433
1874.....	386	Products.....	433
1875.....	387	Mexican Grants.....	433
1876.....	388	Early Settlement.....	433
1877.....	389	1849.....	435
1878.....	392	1850.....	436
1879.....	397	1851.....	436
1880.....	398	1852.....	437
1881.....	399	1853.....	437
1882.....	401	1854.....	438
Schools.....	401	Haywards.....	438
Alameda School District.....	402	1876.....	439
Encinal School District.....	404	1877.....	440
Schools under the Incorporation.....	404	1878.....	441
Methodist Episcopal Church.....	406	1879.....	441
First Presbyterian Church.....	407	1880.....	441
Garden City Lodge, No. 1745, K. of H.....	408	1881.....	442
West End Lodge, No 175, A. O. U. W.....	408	1882.....	442
Alameda Council No. 192, A. L. of H.....	408	1883.....	442
Whidden Hose Co., No. 2, A. F. D.....	409	Alameda Encampment, No. 28, I. O. O. F.....	443
Alameda Oil Works.....	409	Sycamore Lodge, No. 129, I. O. O. F.....	443
Pacific Coast Oil Co.....	409	Haywards Lodge, No. 18, A. O. U. W.....	443
Alameda Planing Mill.....	409	Hercules Council, No. 139, O. C. F.....	444
Encinal Lumber Yard.....	410	Haywards <i>Weekly Journal</i>	444
Schuetzen Park.....	410	New York Brewery.....	444
Newport Swimming-baths.....	410	Lyons Brewery.....	444
Terrace Baths.....	410	Eden Landing.....	444
Long Branch Swimming-baths.....	410	Mount Eden.....	445
BROOKLYN TOWNSHIP.....	411	Mount Eden Grove.....	445
Geography.....	411	San Leandro.....	445
Topography.....	411	1872.....	446
Valleys.....	411	1873.....	447
Streams.....	411	1874.....	447
Climate.....	411	1875.....	447
Soil.....	412	1876.....	448
Products.....	412	1877.....	448
Timber.....	412	1878.....	448
Mexican Grants.....	412	1879.....	448
Early Settlement.....	413	1880.....	448
East Oakland or Brooklyn.....	417	1881.....	449
First Baptist Church.....	420	1882.....	449
Church of the Advent.....	421	Presbyterian Church.....	449
East Oakland M. E. Church.....	421	Roman Catholic Church.....	449
East Oakland Y. M. C. Association.....	421	Eden Lodge, F. & A. M.....	449
Mills' Seminary.....	422	San Leandro Lodge, No. 231, I. O. O. F.....	450
Brooklyn Lodge, No. 225, F. & A. M.....	424	San Leandro Lodge, No. 12, A. O. U. W.....	450
Orion Lodge, No. 189, I. O. O. F.....	424	San Leandro Lodge, No. 180, I. O. G. T.....	450
Evening Star Lodge, No. 263, I. O. O. F.....	425	Chatauqua Literary Society.....	451
Brooklyn Rebekah Degree Lodge.....	425	San Leandro <i>Reporter</i>	451
Brooklyn Lodge No. 32, K. of P.....	425	San Leandro <i>Sentinel</i>	451
Brooklyn Lodge No. 3, A. O. U. W.....	426	Central Manufacturing Company.....	451
The Pioneer Pottery.....	426	San Leandro Plow Company.....	452
California Pottery.....	427	San Lorenzo.....	452
East Oakland Pottery.....	427	MURRAY TOWNSHIP.....	453
Oak Grove Tannery.....	427	Geography.....	453

Topography.....	453	1858.....	633
Valleys.....	453	1859.....	634
Streams.....	453	1860.....	634
Climate.....	454	1861.....	635
Soil.....	456	1862.....	635
Products.....	457	1863.....	636
Timber.....	458	1864.....	639
Minerals.....	458	Street Railroads.....	639
Mineral Springs.....	459	1865.....	645
Mexican Grants.....	459	1866.....	649
Early Settlement.....	459	Water Supply.....	649
Altamont.....	467	1867.....	659
Dublin.....	468	1868.....	663
Livermore.....	468	1869.....	665
First Presbyterian Church.....	471	1870.....	674
Livermore College.....	472	1871.....	676
Livermore Public School.....	472	1872.....	677
Livermore Lodge, No. 218, F. & A. M.....	473	1874.....	686
Livermore Lodge, No. 219, I. O. O. F.....	473	1875.....	687
Vesper Lodge, No. 62, A. O. U. W.....	473	1876.....	689
Livermore Lodge, No. 200, I. O. G. T.....	474	1877.....	693
Livermore Council, No. 1070, A. L. of H.....	474	"July Riots".....	694
Livermore Public Library.....	474	1878.....	697
<i>Herald</i>	475	1879.....	697
Livermore H. & L. Company No. 1.....	475	1880.....	710
Niagara Fire Engine Co. No. 1.....	475	1881.....	714
Livermore Spring Water Co.....	475	1882-83.....	716
Warehouses, W. Waterman & Co.....	476	Table of City Officers.....	717
Lumber Yard, Horton & Kennedy.....	476	Churches.....	722
Wagon Factory, John Aylward.....	476	First Presbyterian Church.....	722
Olivina Vineyard.....	476	Independent Presbyterian Church.....	723
Livermore Coal-mines.....	476	St. John's (Episcopal) Church.....	724
Midway.....	477	St. Paul's (Episcopal) Church.....	725
Pleasanton.....	477	St. Andrew's Mission (Episcopal).....	726
Pleasanton Lodge, No. 225, I. O. O. F.....	481	First Baptist Church.....	726
Carriage Factory, J. A. Bilz.....	481	Church of the Immaculate Conception.....	727
Suñol.....	481	First Congregational Church.....	728
OAKLAND TOWNSHIP.....	482	Second Congregational Church.....	729
Geography.....	482	Plymouth Avenue Church.....	730
Topography.....	482	German Methodist Episcopal Church.....	731
Valleys, Streams, etc.....	482	Methodist Episcopal Church (South).....	732
Climate.....	482	Seventh-Day Adventist Church.....	732
Soil and Products.....	482	Central Mission Sunday School.....	733
Timber.....	482	Young Men's Christian Association.....	734
Mexican Grants.....	482	Schools.....	736
Early Settlement.....	483	Public Schools.....	737
CITY OF OAKLAND.....	483	Pacific Theological Seminary.....	743
Early Settlement.....	483	California Military Academy.....	743
City Lot, Abstract of Title to.....	485	Hopkins Academy.....	744
1852.....	487	Sackett School.....	745
Incorporation of Town.....	487	Ladies Schools.....	745
First Election.....	488	Snell Seminary.....	746
Water Front Controversy.....	488-541	Miss Bisbie's School.....	746
Ferries.....	541-550	Convent of Our Lady of the Sacred Heart.....	746
1853.....		California Medical College, Eclectic.....	747
Streets, Bridges, etc.....	560-577	Ladies' Relief Society.....	747
Lake Merritt.....	577	Women's Temperance Union.....	748
Webster-street Bridge.....	579	Women's Christian Association.....	748
Sewerage.....	581	Home for Aged Women.....	749
Schools.....	587	California Sheltering Home.....	749
Fire Department.....	596	Lodges, etc.....	750
City Marshal Howe.....	602	Masonic Temple.....	750
City Marshal Hogan.....	603	Oakland Commandery, No. 11, K. T.....	751
Finance.....	603	Oakland Chapter, No. 26, R. A. M.....	752
City Bonds.....	607	Royal and Select Masters.....	752
Police Department.....	609	Live Oak Lodge, No. 61, F. & A. M.....	752
1854.....		Oakland Lodge, No. 188, F. & A. M.....	753
Incorporation of City.....	611	Oak Leaf Chapter, No. 8, O. E. S.....	753
1855.....	620	Oakland Lodge, No. 118, I. O. O. F.....	753
1856.....	623	Fountain Lodge, No. 198, I. O. O. F.....	754
1857.....	624	Evening Star Lodge, No. 263, I. O. O. F.....	754
Railroads.....	626	Oakland Rebekah Lodge, No. 16, I. O. O. F.....	754

Pacific Lodge, No. 7, A. O. U. W.....	754	West Berkeley Presbyterian Church.....	799
Oak Leaf Lodge, No. 35, A. O. U. W.....	755	West Berkeley Methodist Ep. Church.....	800
Live Oak Lodge, No. 17, K. of P.....	755	Berkeley Lodge, No. 270, I. O. O. F.....	800
Oakland Council, No. 20, O. C. F.....	755	Hearts of Oak Lodge, No. 61, A. O. U. W.....	801
Brooklyn Council, No. 50, I. O. C. F.....	756	Berkeley Lodge, No. 10, A. O. U. W.....	801
Oakland Lodge, No. 252, I. O. B. B.....	756	University Lodge, No. 88, A. O. U. W.....	801
Appomattox Post, No. 50, G. A. R.....	756	West Berkeley Lodge, No. 206, I. O. G. T.....	802
Army and Navy Republican League.....	756	Berkeley Council, No. 73, I. O. C. F.....	802
St. Andrews Society.....	757	Le Conte Lodge, No. 945, A. L. of H.....	802
"Daughters of Israel" Relief Society.....	757	Tahoe Lodge, No. 1876, K. of H.....	802
Hebrew Benevolent Society.....	757	West Berkeley Planing Mills.....	803
Danish Society.....	757	West Berkeley Brewery.....	803
Oakland Guard.....	757	Hofburg Brewery.....	803
Oakland Light Cavalry.....	759	Oakland Stockyards.....	804
Hancock Rifles.....	759	Stockyards Tannery.....	804
Fire Department.....	760	Carbon-bisulphide Works.....	804
Engine Co. No. 1.....	760	Wheelan's Flour Mills.....	805
Engine Co. No. 2.....	760	Pioneer Starch Works.....	805
Engine Co. No. 3.....	761	Berkeley Lubricating Oil Works.....	805
Engine Co. No. 4.....	761	Standard Soap Works.....	805
Hook & Ladder Co. No. 1.....	761	Wentworth Boot & Shoe Company.....	806
Hook & Ladder Co. No. 2.....	761	Berkeley <i>Advocate</i>	807
Hose Company No. 1.....	761	Shell Mound Park.....	807
Mountain View Cemetery.....	761	Oakland Trotting Park.....	807
Oakland Bank of Savings.....	763	Dwight Way Park Nursery.....	807
Union Savings Bank.....	763	Temescal.....	808
Union National Bank.....	763	St Lawrence Parochial School.....	808
First National Bank.....	763	Silver Star Lodge, No. 2, D. of H.....	808
West Oakland Mut. Loan Association.....	764	N. Tem. Temple Lodge, No. 11, A. O. U. W.....	808
Cosmo. Mut Bldg. & Loan Association.....	764	Temescal Grange, No. 35, P. of H.....	808
Oakland Gas-light Company.....	764	Golden Gate Council, No. 40, O. C. F.....	809
Pioneer Carriage Manufactory.....	765	Claremont Council, No. 74, I. O. C. F.....	809
Western Carriage Company.....	765	Piedmont.....	809
Oakland Carriage Factory.....	766	WASHINGTON TOWNSHIP.....	810
Oakland Boiler Works.....	766	Geography.....	810
Oakland Iron Works.....	766	Topography.....	810
Judson Manufacturing Company.....	766	Valleys.....	810
Pacific Iron & Nail Company.....	768	Streams.....	810
Lanz Bros. Soap Works.....	770	Climate.....	810
California Hosiery Company.....	770	Soil.....	811
Samm's Mills.....	770	Products.....	811
Oakland City Flour Mills.....	771	Alvarado.....	821
Williamson's Flour Mills.....	771	Crusade Lodge, No. 93, I. O. O. F.....	822
Kelly's Marble Works.....	771	Reliance Lodge, No. 93, A. O. U. W.....	823
Dwyer's Marble Works.....	771	Beet-root Sugar Industry.....	823
Knowles & Co.'s Granite & Marble Works.....	771	Union Pacific Salt Company.....	824
Pacific Press Publishing House.....	772	Centreville.....	826
Oakland Brewery.....	775	Centreville & Alvarado Pres. Church.....	827
Washington Brewery.....	775	Alameda Lodge, No. 167, F. & A. M.....	829
Reuter's Dye Works.....	775	Centreville Council, No. 34, I. O. C. F.....	829
Oakland Planing Mills.....	775	Pioneer Association.....	829
Trunk Manufy. of Bt. Colin.....	776	Washington & Murray Township Water Co.....	830
Odd Fellows' Library.....	776	Decoto.....	831
Oakland Free Library.....	776	Mission San José.....	831
Oakland Daily Evening <i>Tribune</i>	778	Newark.....	832
Oakland Daily <i>Times</i>	779	Newark Lodge, No. 169, A. O. U. W.....	833
Oakland <i>Press</i>	782	Crystal Salt Works.....	833
Berkeley.....	782	Newark Coursing Grounds.....	834
University of California.....	782	Niles.....	834
Deaf, Dumb & Blind Institution.....	793	Warm Springs.....	834
Berkeley Gymnasium.....	796	Washington Corners.....	835
Harmon Seminary.....	797	Washington College.....	835
St. Joseph Presentation Convent.....	797		

BIOGRAPHIES.

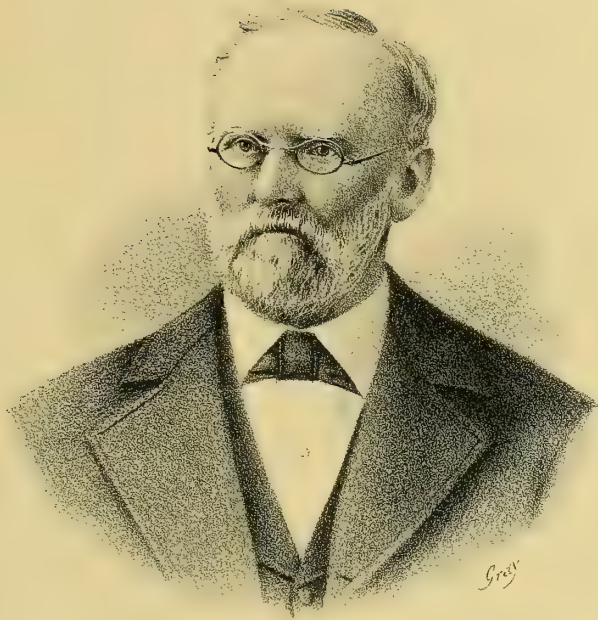
Adams, Edson.....	1000	Dargie, W. E.....	872
Adams, Herbert Lester, LL.B.....	836	Davis, Hiram.....	873
Ager, Mark.....	837	Decoto, Ezra.....	873
Allen, James M.....	837	Delmue, Carlo.....	873
Andrus, Washburne R.....	838	Dieves, Joseph.....	873
Anthony, F. A.....	839	Dimond, Hugh.....	874
Anway, Loren B.....	839	Dixon, Hon. M. W.....	874
Arff, Fred. D.....	839	Donohue, Martin.....	874
Arnold, Rawdon, M. D.....	1001	Dougherty, Hugh.....	875
Atkinson, Capt. George.....	840	Dougherty, James W (deceased).....	875
Babb, Nathaniel L.....	841	Dresco, Lorenzo.....	875
Babbitt, S. M.....	1001	Duerr, Carl.....	876
Badger, Capt. Thomas W.....	841	Dugan, John.....	877
Baker, J. Edward.....	842	Dusterberry, Henry.....	877
Bankhead, Hugh.....	842	Dutcher, N. D.....	878
Bardellini, Antonio.....	842	Dyer, E.....	878
Barlow, H. S. (deceased).....	843	Dyer, E. H.....	881
Bartlett, W. P.....	843	Eggers, Harman.....	882
Barron, Richard.....	843	Ehrman, Solomon.....	882
Barry, William.....	844	Eiben, F. G.....	883
Barton, John.....	844	Elliott, R. W.....	883
Beard, E. L. (deceased).....	845	Emerson, James.....	883
Beard, John L.....	846	English, John M.....	884
Beazell, Hon. James.....	846	Fath, Adam.....	884
Benedict, Benajah.....	847	Fonte, Antonio.....	884
Benedict, Newton.....	847	Francis, Samuel.....	885
Bennett, Robert H.....	848	Frese, John L.....	885
Bernal, Augustin.....	848	Fritch, J. Homer.....	885
Bernal, Dennis F.....	849	Foster, Elijah.....	885
Bernal, José.....	849	Gerhardy, P. J.....	886
Bigelow, Elijah.....	849	Gibbons, W. P., M. D.....	886
Bilz, J. A.....	849	Gibbs, W. T.....	887
Bishop, Amasa W.....	849	Gibson, Col. E. M.....	887
Black, Joseph F.....	851	Gilson, J. C.....	888
Blackwood, William C.....	852	Glascok, Hon. J. R.....	883
Blacow, Robert (deceased).....	852	Godfrey, George.....	889
Bond, Capt. George W.....	853	Gorner, Theo.....	890
Bothsow, Christian (deceased).....	853	Greene, A. J.....	890
Bowen, William J.....	853	Greene, Theodore.....	890
Brannan, B. F.....	854	Gregory, H. C.....	890
Brewer, James A.....	854	Hadsell, Charles.....	891
Brown, Edward.....	854	Haines, I. B.....	891
Brown, Hon. L. H.....	854	Haley, C. S.....	892
Brown, Samuel R.....	855	Haley, Sr., Ebenezer.....	892
Bucknell, Dr. B. F. (deceased).....	856	Haley, J. E.....	893
Bushen, D.....	857	Haley, W. W.....	893
Burdick, Edwin E.....	857	Hampel, John.....	893
Burdick, J. F., M. D.....	858	Hardy, Lowell J.....	894
Burrall, Will. H.....	858	Hare, A. J.....	894
Button, Fred. L.....	858	Haskell, W. W.....	895
Byrne, N. B.....	858	Hassinger, Samuel K.....	1001
Cameron, Duncan.....	859	Hawley, F. H.....	896
Campbell, Edwin H.....	859	Hayward, William.....	896
Carey, T. P.....	860	Hays, Col. John C. (deceased).....	897
Carpenter, D. S.....	860	Hayes, Timothy.....	905
Carter, H. K.....	860	Hayes, William.....	905
Cheney, Z. D.....	861	Healey, Comfort.....	906
Chabot, Anthony.....	861	High, W. H.....	906
Church, Hon. A. M.....	862	Hill, Otis.....	907
Clark, Alson S.....	864	Hinckley, D. B.....	907
Clark, Henry C.....	864	Hirshberg, Samuel (deceased).....	907
Clough, B. D. T.....	864	Holtz, William.....	908
Cockefair, William H.....	864	Hortenstine, J. B.....	908
Craig, Homer A.....	865	Huff, Socrates.....	908
Crane, Addison M.....	865	Hussey, W. H. H.....	909
Crosby, Judge E. O.....	869	Hutchison, James.....	912
Cushing, John.....	871	Ingersoll, W. B.....	913
Cutter, L. H., M. D.....	871	Inman, Hon. Dan.....	913
Dalziel, Robert.....	872	Inwall, Harry.....	913

Irish, Hon. John P.....	914	Osgood, Luther E.....	955
Jacobs, Aaron.....	914	Overacker, Adam A.....	956
Jamison, John W.....	914	Overacker, Howard.....	956
Jarvis, F. C.....	914	Owen, R. Owen.....	957
Jarvis, Howard S.....	915	Patten, Robert Foster.....	957
Jessup, William H.....	915	Patterson, George W.....	957
Johnson, John.....	920	Patterson, Nathaniel Greene.....	958
Jones, Andrew.....	921	Pedrini Cipriano.....	959
Jones, Edmond (deceased).....	921	Pinkerton, Thomas Hamel, M. D.....	959
Keller, Michael J.....	921	Plummer, Chas. A.....	959
Klinkner, Charles A.....	922	Plummer, John Allen, Jr.....	960
Kohler, Ernest F.....	922	Pohlmann, Hermann.....	960
Knox, Lewis.....	922	Poinsett, William.....	960
Knox, William.....	922	Pope, Richard T.....	961
Kottinger, John W.....	923	Proctor, John.....	961
Lancaster, Joseph.....	924	Prowse, John Harvey.....	961
Lawrie, A. G.....	924	Pullen, C. J.....	961
Lehrbass, Richard.....	924	Pumyea, Peter.....	962
Lewis, C. R.....	925	Ralph, Joseph (deceased).....	962
Lewis, Capt. J. M. R. (deceased).....	925	Redman, Hon. R. A.....	962
Liston, W. M.....	925	Reid, William W.....	964
Livermore, Robert (deceased).....	926	Remillard, Hilaire.....	964
Livermore, Robert.....	927	Rice, Chas. H.....	965
Luders, Maas.....	927	Richmond, Edwin A.....	965
Lyon, John L.....	927	Riser, John J.....	965
Mack, W. H.....	928	Roberts, William.....	966
Malley, Frederick.....	930	Robinson, Charles Kingsley.....	966
Mark, I. N, M. D.....	930	Robinson, Hon. Henry.....	967
Marshall, Earl (deceased).....	932	Robinson, Jesse, M. D.....	967
Marston, Phineas F.....	932	Rose, A. P.....	967
Mathews, John (deceased).....	933	Rose, Frederick.....	968
Mathews, Peter (deceased).....	934	Rose, J. A.....	968
May, August.....	935	Rosenberg, Lasery.....	969
May, George.....	935	Rosenberg, Morris.....	969
McAvoy, H. B.....	935	Ross, Edward.....	969
McFeely, F. P.....	935	Russell, Joel.....	969
McGovern, A. J.....	936	Rutherford, Charles B.....	970
McKeany, Peter.....	936	Sackett, D. P., A. M.....	971
McLeod, A. J.....	936	Sanburn, Daniel Moody.....	971
McVicar, Philip H.....	937	Schafer, A. W.....	971
Meek, William.....	937	Schellhaas, Henry.....	971
Mendenhall, Martin.....	937	Scoville, Ives.....	972
Mendenhall, William M.....	937	Scribner, George W.....	972
Meyer, George S.....	942	Selna, Leopold.....	972
Millard, Thomas Wale.....	942	Siebe, Capt. Ludwig.....	972
Miller, Albert.....	943	Sherk, Jacob B.....	973
Milton, Capt. Anthony.....	943	Shinn, James.....	973
Mitchel, John L.....	943	Silva, Manuel Francisco.....	973
Moffitt, James.....	944	Sinclair, Duncan.....	973
Mongelas, Charles J.....	944	Smalley, David S.....	973
Montross, Abraham Bruyn.....	945	Smith, George.....	974
Moody, Volney Delos.....	945	Smith, Henry.....	975
Moore, Capt. John Milton.....	946	Smith, Hon. Henry C (deceased).....	975
Moore, W. W.....	947	Smith, Henry T.....	976
Morin, Francis D.....	947	Smith, Leonard.....	976
Morrison, Perry.....	948	Smith, Lewis Cass.....	976
Mortimer, William.....	948	Smith, James Dale.....	976
Mowry, Origin.....	948	Smith, Thomas A.....	977
Mulford, Thomas W.....	949	Smyth, Henry.....	979
Mulqueeney, Michael.....	950	Sohst, Henry J.....	979
Munyan, Emery.....	950	Stein, Adolph.....	979
Murphy, Edward (deceased).....	951	Stevens, Calvin J.....	979
Myers, Frederick F.....	951	Stevens, Capt. Levi (deceased).....	979
Nebas, Henry F.....	951	Stivers, Simeon.....	980
Newcomb, William.....	952	Stokes, James Johnstone.....	980
Nicholson, John H.....	952	Stone, Leonard.....	981
Niehaus, Edward.....	952	Stone, Lysander.....	981
Nissen, J. K.....	953	Sturges, Mahlon Beach.....	981
Nor, Andrew J.....	953	Sunderer, Joseph.....	983
Nusbaumer, Louis (deceased).....	953	Suñol, José Narcisco.....	983
Nye, Stephen G.....	954	Taggart, Grant I.....	983
Olive, John H.....	955	Taylor, John.....	983

Taylor, Joseph H.....	984	Webster, John Nelson.....	993
Taylor, Dr. William Stewart.....	984	Weller, Conrad.....	993
Teeter, Daniel M.....	985	Wells, Thomas D.....	993
Thom, George.....	985	Whidden, William (deceased).....	993
Thorn, Philip.....	985	Wheeler, Charles Carroll.....	994
Thornburgh, M. K.....	986	Whitney, Hon. George Edwin.....	994
Threlfall, Richard.....	986	Wiard, Edward.....	996
Tifoche, Ivan James.....	986	Wicks, Moses.....	997
Tisch, David.....	987	Wonderlich, John P.....	997
Trask, Charles O.....	987	Woods, Thomas S.....	997
Tyson, William (deceased).....	988	Woodward, Gideon.....	997
Valpey, Capt. Calvin (deceased).....	989	Woolley, John.....	998
Vrooman, Hon. Henry.....	989	Wyman, J. B.....	998
Wales, William (deceased).....	991	Wynn, Watkin William.....	998
Walker, Jared Tuttle.....	992	Yule, John.....	999
Webb, Otis.....	992		

PORTRAITS.

✓Crane, A. M.....	Title	✓Overacker, Howard.....	376
✓Chabot, A.....	8	✓Marston, Phineas F.....	384
✓Livermore, Robert.....	16	✓Stone, Leonard.....	392
✓Marshall, Earl.....	24	✓Nusbaumer, Ls.....	408
✓Hayward, Wm.....	32	✓Webb, Otis.....	416
✓Adams, Edson.....	40	✓Russell, J.....	424
✓Smith, Thomas A.....	48	✓Munyan, E.....	432
✓Mendenhall, Wm. W.....	56	✓Smalley, David S.....	440
✓Vrooman, Henry.....	64	✓Barton, John.....	448
✓Brown, L. H.....	72	✓Knox, Wm.....	456
✓Stevens, C. J.....	80	✓Hare, A. J.....	464
✓Blacon, Robert.....	88	✓Cushing, John.....	472
✓Huff, Socrates.....	96	✓Davis, Hiram.....	480
✓Dyer, E. H.....	104	✓Mathews, Peter.....	488
✓Meek, Wm.....	112	✓Hardy, L. J.....	496
✓Stone, Lysander.....	120	✓Jessup, Wm. H.....	504
✓Dargie, W. E.....	128	✓Valper, Calvin.....	512
✓Blackwood, H. B.....	136	✓Meyer, Geo. S.....	520
✓Whidden, Wm.....	144	✓Haines, I. B.....	528
✓Threlfall, Richard.....	152	✓Fath, Adam.....	536
✓Stevens, Levi.....	168	✓Siebe, Capt. Ludwig.....	544
✓Suñol, Jose Narciso.....	176	✓Trask, Chas. O.....	552
✓Decoto, Ezra.....	184	✓Bishop, A. W.....	560
✓Mulford, Thos. W.....	192	✓Jones, Andrew.....	568
✓Daerr, Chas.....	200	✓Lancaster, Joseph.....	576
✓Barron, Richard.....	208	✓Wicks, Moses.....	584
✓Tyson, Wm.....	216	✓Buhsen, D.....	592
✓Church, A. W.....	224	✓Lyon, J. L.....	600
✓Black, Jos. F.....	232	✓Luders, Maas.....	608
✓Dixon, M. W.....	240	✓Moury, Origin.....	616
✓English, John W.....	248	✓Bernal, Dennis F.....	624
✓Walker, J. T.....	256	✓Dieves, Joseph.....	632
✓Johnson, John.....	264	✓Nebas, H. F.....	640
✓Mark, I. N.....	272	✓Poinsett, Wm.....	648
✓Crosby, E. O.....	280	✓Haley, E.....	664
✓Redman, R. A.....	288	✓Wiard, E.....	680
✓Benedict, B.....	296	✓Gerhardy, Phil. J.....	696
✓Pinkerton, M. D., T. H.....	304	✓Klinkner, Chas. A.....	704
✓Cameron, Duncan.....	312	✓Adams, H. L.....	712
✓Mitchel, I. L.....	320	✓Taylor, John.....	728
✓Hussey, W. H. H.....	328	✓Silva M. F.....	744
✓Mathews, John.....	336	✓Niehaus, Edward.....	760
✓Rose, J. A.....	344	✓Prowse, John H.....	776
✓Millard, T. W.....	352	✓Mach, W. H.....	792
✓Smith, J. D.....	360	✓Take, Geo. J.....	808
✓Patten, R. F.....	368	✓Jamison, J. W.....	824



A. Chabot

HISTORY

OF

ALAMEDA COUNTY, CALIFORNIA.

GEOGRAPHY—AREA—GEOLOGY—MINERALOGY—CONTRA COSTA HILLS—MONTE DIABLO GROUP—MONTE DIABLO—TOPOGRAPHY—CLIMATOGRAPHY—SOIL—PRODUCTIONS—POMOLOGY—SALT-MAKING—EARTHQUAKES—ABORIGINES.

ALAMEDA COUNTY is bounded on the north by Contra Costa County; on the south by Santa Clara County; on the west by the Bay of San Francisco; and on the east by San Joaquin and Stanislaus Counties.

The immense advantages of location which the county possesses will be immediately made apparent by reference to a map of the State of California. Having a geographical position as near as may be about the center of the State, its entire western front is laved by the world-famous Bay of San Francisco, while on its opposite shore is situated the metropolis of the Pacific, whose forest of masts, well-planned streets, and noble edifices, proclaim a more than ordinarily prosperous city. On its water front are the termini of the great overland line of the Central Pacific Railroad, connected with which are the less prominent railroads that find their way to every practicable portion of the State, and the South Pacific Coast Railroad, a narrow-gauge line going southward to the sea-coast watering-place of Santa Cruz, in connection with both of which, half-hourly ferry-boats carry immense loads of passengers to and from the parent city. What advantage San Francisco may boast of, that Alameda County also possesses, for in thirty minutes after arrival there from the Orient and Australia, Europe and Africa, the northern or southern coasts of the American Continent—in short, all the great sea-routes terminate here—one may land on its shores, while the railroad joins it with the continent of Europe, the great cities of the Atlantic Coast, and those of the western prairies. It is the center of travel and the half-way halting place for the world's commerce.

AREA.—Alameda County contains about eight hundred square miles, or five hundred and twelve thousand acres, nearly equally divided between mountains, valleys, and plains, nearly twenty thousand acres of which, along the margin of the Bay of San Francisco, are overflowed by the tide.

GEOLOGY AND MINERALOGY.—There is perhaps no subject in the whole range of scientific research so fraught with interest and so sure to yield a rich harvest to the investigator as the study of the earth's crust, its formation and upbuilding. In this the careful student and close observer sees more to prove the assertion that "in the beginning God created the heavens and the earth" than can be found on any written page. Indeed, it may well be called a written page—a tablet of stone on which the finger of God has written, in letters of life and death, the history of the world from the time when the earth was "without form and void," until the present day. What a wonderful scroll is it which, to him who comprehends, unfolds the story of the ages long since buried in the deep and forgotten past! In wonder and amazement he reads the opening chapters, which reveal to his astonished gaze the formation of the igneous bed-rock or foundation crust on which, and of which, all the superstructure must be built. The formless and void matter is slowly crystallizing into that peculiarly organized tripartite mass known now as granite, than which there is no more curiously formed thing on earth, and none could be better adapted for foundation purposes than this adamantine stone. Silica, spar, and mica, three independent substances, all crystallizing freely and separately, each after the manner and under the laws which govern its special formation, are so indissolubly united in one mass, that the action of the elements for centuries is scarcely perceptible, and the corrosive tooth of time makes but a print upon its polished surface during ages.

From this page we turn to the one above it, for be it known that the geological book is arranged so that its primary pages come at the bottom. Here is found incipient life, in the form of tripolites, polyps, various classes of mollusks, together with worms and crustaceans. Near the close of the page there is found the record of fish also. All through the page is found descriptions of the primal vegetable life which existed on the earth in the shape of sea-weed and algæ. The entire face of the earth was then covered with water, for this was before the decree had gone forth which said, "Let the waters under the heavens be gathered together into one place, and let the dry land appear." What an era of storms and tempests that must have been! No continents nor even islands against which the angry waves could dash in their fury. What tides there must have been! But all this great commotion was necessary, for enough of the great granite body had to be dissolved and eroded to form a body of matter several hundred feet in thickness in the lowest places.

Another page is turned to view, and here is to be read the fact that the sea was full to overflowing with fish. And now the dry land had appeared, "and the earth brought forth grass." Here was the beginning of vegetable life in the world, other than which grew in the sea. Animal life has now advanced to the vertebratæ, and vegetable life has been ushered into the world. Great earthquakes now begin to occur, and mountain ranges are formed. Storm and tempest rage much as in the last age, and erosion is going on rapidly, and detritus is forming layer after layer of the rocks now classified as belonging to this geological period. What cycles of time, as measured by man's chronology, transpired during this age, no one can tell, yet to man, if it could be told to him, it would seem to be not a time, but an eternity.

The unfolding of the next page reveals to man the most useful as well as wonderful epoch in the upbuilding of the earth's superstructure. It is now that the

great coal fields are formed, from which man, in the due fullness of time, is permitted to draw his supplies for fuel for all purposes. How wonderfully is the munificence and wisdom of God exemplified in this one age in the world's formation! Quite large areas of land have now been elevated above the surface of the raging Devonian sea. The native heat of the earth radiating continuously, expanded the waters into vast volumes of mist, which floated upward till it came in contact with the cooler strata of air, when it was precipitated to the earth in grand old thunder showers. The atmosphere was charged with heat and burdened with moisture and carbonic acid. These were conditions most favorable for the development of a gigantic and profuse growth of vegetation, and the surface of the earth was covered with such a forest as the mind of man cannot conceive. Centuries rolled by, and at last large masses of these trees had grown up, fallen down and formed themselves into interminable and impenetrable jungles. Then the continents began to exchange places with the seas, and water covered the great forests so lately in the full flush of their exotic pride. Then the salt and sand formed great bodies of shales and slate-stone upon the top of the forest, and the weight of the body of rock and earth pressed it till it formed into the mass we now find it, and the process of solidification occurred, and stone coal was the result. In accordance with the laws of correlation and conservation of forces, the great coal beds are only immense reservoirs of heat in a latent state, awaiting the proper conditions for development and application to the uses and advantages of the human family. Could a man have seen the process of coal-making going on, away back in the almost twilight of the early dawn of the earth's existence, he would naturally have asked: To what use can that brittle, black material ever be put? Too fragile for building purposes, and too hard and sterile for agricultural economics, and yet evidently designed by the All-wise Creator for some beneficent purpose. But to-day the answer is written on every hand in letters of living light. The sunbeam, charged with heat, comes from the bosom of that great source of light and heat, and assimilates itself with the great body of heat and vegetation, then everywhere so rife. Ages roll on and that sunbeam and its brothers of that day, have long since been forgotten. The fullness of time has now come, and a race of beings inhabit the earth which existed only in the will and mind of the Infinite One at the time of the upbuilding of these great coal measures. These creatures are called men, and they are delving far down into the deep recesses of the earth. For what are they searching amid the dark chambers and along the gloomy passages which they have burrowed out in the bosom of the earth? We follow and find them with pick and drill dislodging a heavy, black substance, and sending it in cars to the surface of the ground. We follow it as it passes from hand to hand. Do you see that happy household band gathered around the cheerful hearth, while, without, the storm-king rages with all the fury of a demon? Hark! Do you hear the clank and whir of machinery which comes from those buildings, affording employment for hundreds of needy men and women, keeping the wolf from the door, and even making them happy? Do you see that train of cars speeding over hill, through valley and across plain, bearing with it a host of people, hurrying to and fro from their avocations of life? Do you see the mighty steamer which plows the ocean's crested main from port to port, from land to land, bearing the wonderful burdens of commerce in its capacious maw? Yes, you

see them all. You hear the pulse and throb of the mighty engine which drives all these wonders on to success, and which is conducive to man's happiness and best good. But did you ever pause to think that, ere time was, almost, the agent which was destined to perform all these marvels was garnered away in God's great store-houses—the coal fields, and that to-day we are reaping the full fruition of all these centuries. How grand the theme! How the heart should echo in His praise for His wonderful goodness to the generations of men!

The next page reveals to us the fact that reptiles, frogs, and birds came into existence, or rather, that the two former developed into the full vigor of their generation, while the latter was introduced for the first time upon the scene of action. It is not our purpose here to make any close inquiries into the origin of animal life, and shall use the word developed in relation to the introduction of a new series of animal life, as being eminently proper, but not as having any reference to the Darwinian idea of development, although the day has already dawned when the human race will accept the truths of that theory, let them be ever so contradictory to what is now taught. For our purpose one theory is as good as another. The fact is that in the carboniferous or coal period, there are no traces of birds at all; and in the next age we find their foot-prints on the sandstone formations. Whence they came we know not nor do we care. They were of gigantic stature evidently, for their tracks often measured eighteen inches long, and their stride ranged from three to five feet! Another phase of animal life was developed in this age, and that was the mammal, which was an insect-eating marsupial.

Another page is laid open for our perusal, and on it we read that the race of reptiles reached their culmination in this age, holding undisputed sway over land and sea, and in the air. They were very numerous, and their forms exceedingly varied and strange, and their size in many cases gigantic. Some kinds, like the pliosaurus, plesiosaurus, and ichthyosaurus, were sea saurians, from ten to forty feet in length; others were more like lizards and crocodiles; others, like the megalosaurus and iguanodon, were dinosaurs, from thirty to sixty feet in length; others, like the pterodactylus, were flying saurians, and others turtles. The megalosaurus was a land saurian, and was carnivorous. This is the first land animal, of which there is any record, which subsisted on the flesh of other animals. The pterodactyl was one of the most wonderful animals which ever existed on the face of the earth. It had a body like a mammal, wings like a bat, and the jaws and teeth of a crocodile. It was only one foot long.

The next page does not reveal any very marked changes from the last. The same gigantic reptiles are in existence, but on the wane, and finally become extinct during this era. The vertebrates make a great stride forward towards their present condition, while all the leading order of fishes are developed just as they exist to-day. Up to this time the fish had not been of the bony kind, but now that peculiarity is developed.

We have now perused the great book of nature until we have come up to those pages which are everywhere present on the surface of the earth. Figuratively, we may consider this page divided into three sections: the first or lower of which contains nothing in common with the present age, all life of that day having long since become

extinct. The second section contains fossils more nearly related to the present time, from ten to forty per cent. being identical with the living species. In the third section the percentage of similar species runs from fifty to ninety. The continents of the world had assumed very nearly the same shape and outline which they maintain at the present time. Sharks reached the height of their glory in this age, while the reptiles assumed their true form of snakes, crocodiles, and turtles. For the first time in the history of the world is there any record of snakes. And how far they preceded man will remain for the reader to determine from what follows farther on. The mammals of this age are the chief objects of interest, not only on account of their great number and the extended variety of forms under which they appear, but especially because this period marks the time of the introduction of the true mammals on the earth. The seas and estuaries, though rich in animal life, no longer furnish the most prominent representatives of the animal kingdom; but in this period the mammals assume the first rank. But it must be here stated that some of these species lived beyond the close of this age. These animals inhabited the upper Missouri section in great quantities, and comprised the moose, rhinoceros, a species similar to the horse, tapir, peccary, camel, deer, hyena, dog, panther, beaver, porcupine, musk-deer, mastodon, wolf, and fox. How like a dream it seems that these precursors of the present races of mammals should all be swept out of existence; still, when we come to know what climatic changes occurred at the close of this period, we will not wonder any longer. Not only were the "fountains of the great deep broken up and the rains descended," but the continent sank deep below its present surface, and a great sea of ice from the north swept over its face, bearing death and destruction to all living creatures in its path. This was the glacial period, and its results are written on the next page.

This page reveals a wonderful mystery! The throes of death were the travails of birth, and that condition of things which swept from the face of the earth an entire animal kingdom, paved the way for the existence of a higher and fuller life, even man himself. Hitherto the earth had been in a process of incubation, as it were—"the spirit of the Lord had brooded over the earth," and this was the finality to it all. This was the long winter of death which preceded the spring of life. This is known as the drift or boulder period, and its phenomena are spread out before us over North America. The drift consists of materials derived from all the previous formations, and comprises all stages from the finest sand to boulders and fragments of rock of gigantic size. When the vast sea of ice came crushing down from the far-away home of old Boreas an inestimable quantity of rock was caught in its giant clutch and ground to powder. Others were rolled and polished till they were as smooth as glass, while others were fastened into the body of the ice, and carried along miles and leagues from their native ledges. Throughout the Mississippi Valley are numerous granite boulders, but no known ledge of it exists nearer than the northern lakes. As soon as the continents had risen from their depressed condition and the icy era had subsided, wonderful to relate, life sprang into existence in a fuller and stronger condition than ever before. The vegetable and animal life of this age was the same as to-day, except the mammals, which, strange to say, passed away almost entirely at the end of that era. The elephant during that period was about one-third larger than the present species, and near the close of the last century one of these monster animals was found imbedded in the ice

on the coast of Siberia in such a state of preservation that the dogs ate its flesh. Among the many pictures which this fertile subject calls up, none is more curious than that presented by the cavern deposits of this era. We may close our survey of this period with the exploration of one of these strange repositories; and may select Kent's Hole at Torquay, Devonshire, England, so carefully excavated and illuminated with the magnesium light of scientific inquiry by Mr. Pengelly and a committee of the British Association. In this cave there are a series of deposits in which there are bones and other evidences of its habitation both by animals and men. The lowest stratum is comprised of a mass of broken and rounded stones, with hard red clay in the interstices. In this mass are numerous bones, all of the cave-bear. The next stratum is composed of stalagmites, and is three feet in thickness, and also contains the bones of this bear. The existence of man is inferred at this time from the presence of a single flint-flake and a single flint-chip. Water seems to have now flooded the cave and the next stratum is composed of stones, clay, and *débris*, such as would naturally be deposited by water. But the strangest part of it is, that this flood stratum is rich in relics of its former inhabitants, yielding large quantities of teeth and bones of the elephant, rhinoceros, horse, hyena, cave-bear, reindeer, and Irish elk. With these were found weapons of chipped flint, and harpoons, needles, and bodkins of bone, precisely similar to those of the North American Indians. This stratum is four feet in thickness, and in one spot, near the top, there is a layer of charcoal and burnt wood, with remains which go to show that human beings had been there and prepared their food by cooking it, and it also proves that the knowledge and use of fire was known far down into the early dawn of man's existence on earth. It is to be borne in mind that this is all anterior to the present state of affairs, and that all the animals mentioned as contemporaneous with these primitive men have long since passed out of existence, and may not the race of men to which those people belonged have passed away also, and another race sprung up in their stead, the same as other races of animals have developed to supply the place of those passed away. These are questions worthy of more than a hasty glance. Another layer of stalagmite now appears to have been formed, in which are bones, having the same characteristics as those mentioned above, only the jaw-bone of a man with the teeth in it was found. Now a wonderful change occurs. The next stratum is black mould, and is from three to ten inches thick, but in it are found only evidences of modern times, both in the relics of man and beast. The bones of the animals are of the orders which exist at the present time, and the relics of men extend from the old Briton tribes before the Roman invasion up to the porter bottles, and dropped half-pence of yesterday's visitors. How long a time transpired between the last visit of the first race of men who knew this cavern, and the first visit of the old Britons, is hard to even guess. That it was many ages none will dare to question.

We now come to the last page of the great geological book which records the present era of the world's history, which is pre-eminently the age of man. That man existed previous to the present order of things, there can be no question; but it remained for this period to fully develop him in all his glories and powers. The dark night of winter with its snows and ice, before whose destructive and frigid breath all things which had lived on the earth had perished, including primitive man, had passed away,

and the whole face of the earth was smiling and rejoicing in the spring-time of its new existence. The seasons were fully established, and summer's suns and winter's ice assumed their appropriate offices in the grand economy of the earth. The seed time of spring and the harvest time of autumn followed each other through the cycles of centuries and will never change. The earth was all virgin soil and very rich and productive. The air was fresh, bracing, and free from all poisonous exhalations. All nature was complete. Animal life had again covered the world, and all was ready for the crowning effort of Nature—man. Away in western Asia, there was a land favored far above all the countries of the earth, so much so that it could truly be called a paradise. It was a table-land, at the head-waters of the rivers that flow into the Euxine and Caspian Seas, and the Persian Gulf. Its climate was healthful and bracing, with enough of variety to secure vigor, and not so inclement as to exact any artificial provision for clothing or shelter. Its flora afforded an abundance of edible fruits to sustain life, and was rich in all the more beautiful forms of plant life, while its clear streams, alluvial soil, and undulating surface, afforded a variety of beautiful scenery, and all that would go to make up the *sine qua non* of human existence. It was not infested with the more powerful and predaceous quadrupeds, and animals which did inhabit the region had nothing to fear, for man was originally purely vegetarian in his diet, and in this paradise he found ample supplies of wholesome food. His requirements for shelter were met by weaving bowers of the overhanging trees. The streams furnished gold for ornaments, shells for vessels, and agate for his few and simple cutting instruments. Such was man's estate in the first days of his existence; but the eternal laws of progression soon forced him out of his primitive bowers into huts, and thence into houses and palaces, and the end of that progression is not yet. And the human race has a future before it which, if it could be seen and comprehended at one glance, would cause the heart of man to stand still in wonder and amazement.

We will now pass to a consideration of the geological formation of Alameda County, as is to be found in Professor Whitney's Geological Survey of California.

Contra Costa Hills.—The subordinate group of elevations lying west of Martinez and the San Ramon and Livermore Valleys is known as the Contra Costa Hills; they extend through the county of that name into Alameda and Santa Clara Counties, and finally become merged in the Mount Hamilton Division of the Monte Diablo Range. These hills are separated from the principal mountain mass of Monte Diablo by a system of valleys, extending for about forty-five miles, and preserve a somewhat distinctive character for some fifteen miles farther, losing their identity entirely about the head of Calaveras Valley. They are made up of tertiary and cretaceous strata, usually but little metamorphosed; although a belt extending along their western side is considerably altered from its original character.

Beginning at the northwest extremity of the group, at Martinez, we have in the immediate vicinity of that place cretaceous strata, well exposed in the bluffs along the Straits of Carquinez. Here the rocks observed are sandstones, shales, and argillaceous limestones, the latter forming bands and lenticular masses in the shales, generally but a few inches thick, although as much as three feet. Their strike is usually N. 42° W., varying, however, from N. 39° W. to N. 44° W., and they dip southwest at an angle of from 35° to 60°.

The rocks near Martinez have furnished a large number of specimens of cretaceous fossils of both divisions.

In passing along the shore of the Straits of Carquinez, west of Martinez, the cretaceous strata occur for about seven miles, and are made up of shales and sandstones, the former containing frequent thin layers of hydraulic limestone. These rocks, however, exhibit but few fossils. The dip and strike are variable, but generally about east and west magnetic, and the dip is also irregular, but almost always to the southwest, and at almost every angle from nearly horizontal to vertical; the strike is nearly parallel with the line of the straits. Near the upper limit of the cretaceous, are sandstones very like those of Monte Diablo which accompany the coal, and they contain a considerable quantity of carbonaceous matter, but no regular coal-bed, so far as yet discovered. Near these carbonaceous strata, and above them, is a narrow belt, partly altered and folded, and from one hundred and fifty to two hundred feet in width. The Rodeo Valley marks the limit of the cretaceous going west from Martinez, the tertiary succeeding in that direction, and resting conformably on the strata beneath, and having the same general southwestern dip. South of Martinez the cretaceous strata have a higher dip, but in the same direction.

Southwest of the Rodeo Valley lies a broad belt of tertiary rocks, which extends from San Pablo Bay to Amador Valley, forming the mass of the Contra Costa Hills, for a distance of about thirty-five miles northwest and southeast, and having a breadth of from six to eight miles. The rocks are chiefly sandstones, and in places highly fossiliferous. San Pablo Creek heads in this belt, and flows between two parallel ridges in the line of the strike of the rocks. On the west side of the creek, about four miles a little southeast of San Pablo, the rocks contain considerable bituminous matter, and a well had been bored here in 1862 to the depth of eighty-seven feet, at which point oil was struck, which it was proposed to purify by distillation, and works were erected for this purpose, as also to obtain oil from the highly saturated sandstone.* At these springs the rock has a high dip northeast; but farther northwest it dips to the southwest, while the hills in the vicinity are too deeply covered by soil and decomposed rock to admit of the general position of the strata being determined satisfactorily.

To the north of San Pablo are low hills of very recent strata, which are nearly horizontal, and which rest unconformably on the edges of the tertiary. Whether these beds contain any extinct species of shells has not yet been determined; at all events, they are no older than the post-pliocene.

In the valleys between San Pablo and Walnut Creek, many sections made by the rains of 1861-62 in the superficial detritus are observed. The beds are horizontally stratified, and made up of light and darker colored materials, the lighter ones being darker near the upper surfaces, and growing lighter downwards to the depth of from six to twelve inches, as beds usually do when acquiring a color from decaying vegetable substances. This would indicate that the rate of deposition of this detritus has been exceedingly irregular, long periods having sometimes elapsed without much addition to the detrital deposits, and then, again, a heavy mass of materials being suddenly

* The quantity of oil obtained seems to have been too small to pay, as the work was not profitable, and had been discontinued previous to the oil excitement of 1865. Whether resumed between that time and the present, 1883, we have been unable to discover.



Robert Livermore

spread over the surface, just as takes place at present during a winter of extraordinary storms, like those of 1861-62. The appearances indicate sometimes a heavy deposit during one year only ; at others a succession of them for several years. The same or similar facts are observed at many points in the coast ranges.

The whole range under consideration is divided into a great number of hills and valleys, the latter running parallel with the strike of the strata. The valleys are excavated in the softer materials, and are frequently drained by streams running in two opposite directions, which connect at their sources by very low divides, so that one hardly recognizes the fact that he is passing over them. When streams cut across the strike of the strata, as they occasionally do, the valleys become mere cañons, or narrow rocky defiles.

To the southeast of Martinez there is a good exhibition of the folding of the strata, exhibiting in synclinal axis, which runs from a point one mile north of Pacheco southwest to the Cañada del Hambre, a distance of about four miles.

Walnut Creek (Arroyo de las Nueces) heads in the divide between the valley of this name and that of the San Ramon ; it separates the Contra Costa Hills from the Monte Diablo Group proper. High hills of tertiary sandstone rise to the west of it, attaining an altitude of from eighteen hundred to two thousand feet. The high group of hills north of the head of the San Ramon is also of sandstone, and has about the same elevation. The strike of the strata here is about N. 50° W. to N. 55° W., and the dip 65° to the southwest. The San Ramon, heading in this group of hills, runs southeast, then turns and runs parallel with its former course in the opposite direction, having a high and steep range of fossiliferous sandstones between the two parallel portions.

The foot-hills along the eastern base of these higher ridges are of strata very much broken, with every possible dip and strike, the latter frequently at right angles to that of the strata in the main ridge, and standing vertical. There are indications of a line of quite recent disturbances of the rocks through the San Ramon and El Hambre Creeks, which line crosses the general direction of the stratification at an angle of 35°. There are fissures in the soil along the west side of the San Ramon Valley, which were formed during the earthquake of June, 1861, and which may be considered as strengthening the probability of the recent formation of this valley. That extensive disturbances have taken place in the Monte Diablo chain within the most recent geological epoch will be seen farther on.

Near the head-waters of the San Ramon, the hills of tertiary sandstone rise to the height of about two thousand feet ; the strata having a strike of about N. 39° to 41° W.; and they have a high dip to the southwest. The same strata, as followed along a few miles farther to the northwest, near Moraga Valley, become more nearly vertical, and the strike curves around more to the west. The same belt of rocks extends southeast from the head of the San Ramon, through the range of hills west of Amador Valley, and they have a lower and more uniform northwesterly dip. These hills sink into the plain near the eastern end of the pass leading from Haywards to Amador Valley.

Near the "Walnut Creek House," a small patch of cretaceous occurs, extending over a few acres, from which the overlying tertiary, forming the crown of a low anticlinal, has been denuded.

A belt of metamorphic rock may be traced along the western side of the Contra Costa Hills, beginning near San Pablo, thence following the west side of Wild Cat Creek, and appearing in a southeast direction along the foot-hills of the range, for a distance of about thirty-five miles. It generally forms a narrow belt, not over two miles wide, and often not half that; but in some places there is more or less metamorphic action observable over a width of four miles. The northwestern portion of this band of altered rock curves to the northwest, and seems to form the isolated metamorphic hills lying near the bay, apparently connecting with the range of high hills which run out at Point San Pedro and extend back to San Rafael.

Near San Pablo a great variety of the results of metamorphic action may be observed; as, for instance, in following a line extending from the house of V. Castro back to the top of the ridge. The original rock seems to have been a more or less bituminous slate or shale, and patches of it have almost entirely escaped metamorphism, while others in the immediate vicinity are very much altered and converted even into mica-slate. The dip of the strata, when it could be made out, was to the northeast, 30° at the base of the hill and gradually getting higher towards the crest of the ridge, where the metamorphism is most complete. Here the rock is traversed by small quartz veins, and has evidently been acted on by water containing silica in solution, as it is, to a large extent, converted into that mixture of ferruginous, jaspery, and chalcedonic material, which is so well known as frequently containing cinnabar, that we have become accustomed to call it the "quicksilver rock." Considerable masses of actinolite have been found lying on the surface in this vicinity, evidently derived from the rocks of this ridge. The specimens resemble exactly those obtained from the very much older metamorphic rocks of New England.

The widest and highest portion of this metamorphic belt lies near the pass leading from Oakland to Lafayette, the summit of which is thirteen hundred and eleven feet above high tide. About a hundred rods west of the summit metamorphic slates stand vertical, having a close lithological resemblance to rocks elsewhere known to belong to the cretaceous system; a short distance northwest they have a high dip to the northeast. A sharp ridge, half a mile in a direction N. 32° W. from the Summit House, is of hard metamorphic sandstone, of which the strike is N. 64° W., but curving more to the south as we go southward; the dip is to the northeast, about 70° in amount. Hand specimens of this rock have a very trappean look, but they appear to be of metamorphic origin.

About one mile farther north is the highest point north of the pass, called "Rocky Mound"; it is nineteen hundred and twenty-one feet high, forming a rounded hill, having a distinct stratification, although very trappean in its appearance, and a dip to the northeast. Between this point and the ridge spoken of in the last paragraph, there is a mass of trappean rock, finely crystalline and very hard, in which no planes of stratification can be observed. On the northeast of San Pablo, the unaltered strata rest on these metamorphic rocks and dip northeast.

The ridge between Wild Cat and San Pablo Creeks is made up of strata dipping northeast from 30° to 35° , and having a strike of about N. 52° W. The north end of this ridge is of quite unaltered strata, while the southern portion is highly metamorphosed.

On the east side of Carlisle Creek, a metamorphic limestone occurs, in which all traces of stratification have been obliterated, the mass of the rock being traversed by veins of quartz, resembling semi-opal in appearance.

South of the pass from Oakland to Lafayette, several high, dome-shaped hills rise, having an elevation of about eighteen hundred and fifty feet, made up of highly metamorphic rock, having a trappean aspect, but stratified and dipping northeast. Intruded in this are masses of rock which appear to be of decidedly eruptive origin, as the metamorphic strata are displaced in the vicinity. Here, as in many other localities in California, it is difficult to draw the line between eruptive and sedimentary, as both have undergone extensive metamorphism since their formation.

A short distance south of the pass the metamorphic strata suddenly contract to about one and one-half miles in width, an arm of unaltered sandstone and slates extending up between two branches of the metamorphic. In this region the slates are little metamorphosed, appearing white and easily decomposed, although much contorted. Portions are highly silicious, but soft and friable, and, under the name of "Kaolin," are used to mix with clay in making pottery at San Antonio. This belt of slates and shales may be traced southeast as far as Suñol Valley, beneath which they dip, rising again probably and appearing in a highly metamorphic form in the mass of the Mount Hamilton Group. In the places where they are not metamorphic they have all the lithological character of the strata known to be of cretaceous age, which have been described as occurring near Martinez, and which will be noticed farther on as so well developed near Monte Diablo.

Lying to the west of this are massive sandstones, entirely unaltered, which, as yet, have furnished no fossils, but which are believed to be of cretaceous age. They form an elevated ridge, of which a culminating point is Redwood Peak, sixteen hundred and thirty-five feet above the level of the bay. The strike of these sandstones at this point is about N. 69° W., but they curve more to the south on the southeastern side of the ridge. Their usual dip is to the northeast, but near Redwood Point the strata are much broken, and three miles southeast they sometimes stand vertically or have a very high dip to the northeast.

Beneath this mass of sandstones, and extending to the southwest, there is a body of coarse conglomerate, forming a series of ridges of considerable altitude. Northeast of San Leandro it appears in the range of hills forming the eastern boundary of the San Antonio Ranch. Ten or twelve miles farther to the southeast it appears in Suñol Peak, which rises to an elevation of over two thousand feet, on the southeast side of which it dips to the southwest. It passes through the Suñol Valley and becomes a portion of the great metamorphic belt of the Mount Hamilton Range.

Although no fossils have been found in place in the belt of slates and shales alluded to above as exhibiting so well-marked a resemblance to rocks elsewhere determined to be of cretaceous age, yet a few boulders have been picked up which contained shells undoubtedly of this epoch. A more careful search will hardly fail to furnish some farther evidence on this point. One of these boulders was found near the entrance of Suñol Valley, in a locality where it is hardly possible that it should have come from any other belt of rocks than that indicated above.

The metamorphic band, before alluded to as beginning near San Pablo, after

narrowing near Redwood Peak, extends along the western slope of the hills, forming the lower ridges at their base. It does, not, however, form a well-defined belt parallel with the strike of the strata, nor does it appear to represent an axis of elevation. In a section examined from San Leandro across the summit of Monte Diablo, it was seen conformably underlying the conglomerates and sandstones before spoken of; but farther south its relations to the adjacent rocks become very obscure, owing to the almost entire obliteration of the lines of stratification consequent on the increased metamorphism of the mass. As observed in the foot-hills of the range between San Antonio and Alameda Creek, this metamorphic belt has all the characters which are so often exhibited by the altered cretaceous rocks. Serpentine is abundant in it in large irregular masses, and jaspery slates, like those of Monte Diablo. East of San Antonio large patches are to be seen, having all the characters of the quicksilver-bearing rock of New Almaden and New Idria, exactly like those noticed as occurring near San Pablo. Considerable masses of chromic iron occur in this position, one of which was formerly worked to some extent. Stains of copper are not unfrequent, and have led to several attempts at mining, none of which have proved successful, or are likely to repay the labor and capital invested.

In the neighborhood of Alameda Cañon this metamorphic belt appears to be almost lost, but traces of chemical action commenced and partially completed, are exhibited in narrow streaks visible among the highly inclined and broken strata; these, however, do not appear to connect through with the metamorphic mass of Mount Hamilton.

Monte Diablo Group as Regards Alameda County.—After describing the Monte Diablo Group as it ranges through the county of Contra Costa, with variations in geology and vast coal-beds, Professor Davidson proceeds with his interesting description in these words:—

The pass called after Mr. Livermore, an old settler in the valley, is on the west side of the eastern division of the Monte Diablo Group, and about sixteen miles south-east of the summit of the mountain, and here the chain is more completely broken through than at any other point in its whole extent; this pass has, for that reason, been selected for the passage of a railroad from San José to Stockton, for which the preliminary surveys have been made, and which is now in process of construction. The western division of the chain, the Contra Costa Hills, already described in this chapter, are entirely broken through by the cañon through which the Alameda Creek, which drains a large region in the interior of the range, finds its way to the Bay of San Francisco. This cañon, therefore, in connection with the Livermore Pass, furnishes a good and easy route for a railroad entirely across from the bay to the plains of the San Joaquin; it is, indeed, the only feasible one. As we issue from the Alameda Cañon, going towards Livermore Pass, we come into a valley or plain some twelve miles in length, but of irregular width, which extends to the western entrance of the pass. The western portion of this is called "Amador Valley"; the eastern, "Livermore Valley." These valleys are formed by the sinking down of the tertiary ranges of hills which lie along the southeastern slope of Monte Diablo. The portion of the range, which continues to the southward, and connects the Monte Diablo Group with the Mount Hamilton Group, and over which the Livermore and Corral Hollow

Passes cross, is made up of a very irregular belt of hills about ten or twelve miles wide, most elaborately wrought out by denudation into a labyrinth of ridges and cañons, the minute exhibition of whose details would require a map on a very large scale. These ridges are nearly destitute of trees, with but a scanty supply of feed, in the shape of grass or forage, and poorly provided with water, what there is being generally alkaline. The hills in the vicinity of the pass are seldom over twelve hundred feet high, but they rise higher a little farther north, and "Bushy Knob," or "Las Cuevas," may be considered as the culminating point of this division of the group; it is one thousand seven hundred and forty-two feet above tide-water.

The pass itself is, according to the Pacific Railroad surveys, four hundred and eighty-one feet high at its western entrance, and six hundred and eighty-six feet at its summit; by our measurement, the eastern entrance, at "Zimmerman's Mountain House," is two hundred and twenty-three feet above the sea.

The rocks near the pass are sandstones, which are soft and easily disintegrated. They are of tertiary age, but contain few fossils. Along the eastern side of the range the dip is to the northeast, and on the western side it is in an opposite direction, there being a low axis running through the region from southeast to northwest, and passing a little to the east of Bushy Knob. The dip in both directions is quite small, in keeping with the comparatively small elevation of this portion of the chain. At Bushy Knob it was only 15° , the direction of the strata being N. 69° W.

South of Livermore Valley the hills rise in altitude, but exhibit in the main the same features as on the other side, until we approach Corral Hollow. They are rounded in outline, and the rock is rarely seen, except in the cañons. As we reach Corral Hollow we find the strata more disturbed, and all the indications of an approach to another great metamorphic center.

The pass, or cañon, usually known as Corral Hollow, extends back from the San Joaquin Plain and opens into Livermore Valley; it crosses the hills about ten miles south of the Livermore Pass, but is more elevated than that, and traverses a greater variety of rocks, as it intersects both the altered and the unaltered cretaceous strata in its upper portion.

This upper region of the pass, which has a northwest and southeast direction, is a deep, precipitous cañon, extending across to the Livermore Valley from the bend in Corral Hollow Creek. This creek, as is so often the case with the streams in this region, runs towards the northwest, parallel with the stratification, for a considerable distance, and then turns suddenly, and, crossing the strata, runs at right angles to its former course. The change in direction is just at the point where the unaltered strata are intersected. The general strike of the strata in this region is nearly magnetic east and west, or N. 70° to 75° W.; the dip is usually to the north, at a pretty high angle, but very variable. The metamorphic region in which Corral Hollow Creek heads will be noticed farther on, as it forms a part of the Mount Hamilton Group. The division between the metamorphic and unaltered rocks in the angle of the creek is well marked and easily recognized at a distance, from the varied character which the different rocks give to the landscape. The metamorphic hills are covered with a darker and thinner soil, and are more bountifully supplied with trees, especially the *Quercus Agrifolia* and *Quercus Garryana*, while the outlines of the

ridges are sharper and the outcrops of rock more numerous. Near the junction with the unaltered strata the metamorphosed beds preserve their original lines of stratification, and are perfectly conformable with the overlying beds of rock, which have undergone no change. These metamorphic rocks are of cretaceous age, and are identical in appearance with the jaspery rocks noticed as occurring so abundantly near Monte Diablo. The jasper bands are from a fourth of an inch to several inches in thickness, sometimes very much contorted and of various colors—red, rose-colored, green, gray, and white; the whole presenting, especially on the weathered surfaces, the most brilliant and beautiful appearance. There are also reticulations of quartz crossing the mass in small, irregular veins and threads, such as have already been described as occurring near Monte Diablo, forming the peculiar rock which we have followed from this region north as far as Clear Lake. Serpentine is also abundantly distributed through this metamorphic region.

Between the metamorphic and the tertiary there is a narrow belt of unaltered rock, of cretaceous age, the metamorphic action not having penetrated through the whole mass of the strata. But few fossils were found in these unaltered rocks, and these were distinct from any obtained elsewhere in the cretaceous, to which formation, however, they were referred, with some doubt, by Mr. Gabb, who described two species from this locality, namely, *Cyprinella tenuis* and *Carbula primoisa*; besides these, *Anomia* and *Mytilus* were observed, as also three other bivalves, too imperfect to be referred with certainty to any genus. Mr. Gabb considered that these fossils, which overlie rocks known to be of cretaceous age, and which dip under the miocene tertiary may probably prove to belong to a brackish water deposit of the cretaceous, although it is possible that the formation in which they occur may represent the eocene division of the tertiary.

The dip and strike of these unaltered rocks are variable, but they usually incline at a pretty high angle to the north. Two sections were made across the valley in this region, which will serve to show the position of the strata and also the coal-beds, which are found here, and which have been worked to some extent. The first crosses Corral Hollow at the "Pacific Mine" and runs N. 20° E. [See Whitney's Geological Survey of California, p. 36, vol. on Geology]; it represents a length of five miles, and is on an equal scale of horizontal and vertical distances. The other one crosses at the Almaden Mine [See p. 37, *Ibid.*], and is of about the same length as the other. On comparing these two sections it will be seen at once how great a disturbance of the rocks has taken place in this region, within so short a distance, as the whole series of sandstones on the north side of the hollow has in one section a position exactly the reverse of that in the other. In the section at the Pacific Mine the mass of unaltered strata north of the hollow lies nearly conformable with the metamorphic; and, like that, dips to the north for a distance of a mile and a half; then we have a mass of disturbed strata and a reversal of the dip. In the Almaden Mine section the reversal of the dip takes place in the strata immediately connected with the coal, which of course has an unfavorable influence on the working of the bed. Indeed, the disturbances in this district are so extensive that it is to be feared that these coal-beds will not be made available; and up to the present time, at least, they have not been, although the quality of the coal is good as compared with other Pacific Coast

coals, and the thickness of the beds sufficient for profitable working, if they had not been so much disturbed by the movements of the strata.

An analysis of the Corral Hollow coal gives: Water, 20.53; bituminous substances, 35.62; fixed carbon, 36.35; ash, 7.50.

The Pacific Mine is situated near the upper curve of the stream, on the south side, about nine miles from the mouth of the valley, and nine hundred and fifty feet above the sea. The stratum of coal is in sandstones and shales; the strike is N. 80° W., and the dip 50° to 70° to the north. The strata are much broken, and frequent slips and faults occur, while the dip is quite variable. A drift cuts the bed from the lower side and follows it for a distance of three or four hundred feet. The bed shows at its eastern end a thickness of fifty inches of workable coal. It was stated that, up to October 15, 1861, from two hundred to four hundred tons had been mined here. When visited again in 1862, but little further work had been done here. The drift had been extended a few feet, and the thickness of the coal was found to be sixty-six inches. Many facts were noticed, showing how great a disturbance had taken place here. In the strata beneath the coal are many angular fragments of the coal itself, which appear to have slipped out of place and to have been caught between the strata while undergoing these convulsions, which in one place have cut the seam entirely off and brought it squarely up against the broken edge of the sandstone.

The Coast Range Company was the first one to mine in this district. Their shaft is one and a half miles below that of the Pacific Company, in the bottom of the valley, on the south side. The coal seam was perpendicular, and a shaft was sunk in it to the depth of one hundred feet; but little good coal was found, and it is now abandoned.

Some explorations and attempts at mining at the Alameda Company's mine, on the south side of the cañon, gave equally discouraging results, the strata being much broken, so that the bed could not be followed continuously in the shafts, one of which had been sunk to the depth of one hundred and fifty feet in 1861. In this shaft the strata dip to the south at a high angle, there being a complete overturn of the strata here. The bed of coal exposed in this shaft was about two feet thick, and of good quality, although much crushed, and therefore easily disintegrated. As far as can be ascertained, no coal has been shipped from these mines of late, and they are probably abandoned. Unless the quality and quantity of the Corral Hollow coal were quite superior, it would be impossible for it to come in competition with the product of the Monte Diablo mines, the latter being so much more favorably situated with reference to a market.

To the north of the belt of cretaceous strata just described, there is an extensive region of tertiary hills, extending towards Livermore Pass. The highest of these are from two thousand four hundred to two thousand five hundred feet in altitude; the highest point measured was two and a half miles north of the Pacific Mine, and its altitude was found to be two thousand one hundred and ninety-eight feet. The rock in these hills is deeply covered with soil, but is sufficiently exposed in the cañons to show that it has a very variable strike and dip, being much affected by the fault or disturbance which passes through Corral Hollow. On the hills north of the mines there

are several localities of the large fossil oysters (*Ostrea Titan*), where these occur in great numbers. About one mile north of "Camp 61," the impressions of leaves and silicified wood were found in great abundance in a soft sandstone, supposed to be of pliocene age. The strata had a dip to the southeast, and the leaves were chiefly found in a stratum about two feet thick. They were very numerous and beautifully preserved, and represented several genera of deciduous trees. In one case a stump was found still upright, its roots in the leaf-bearing stratum, and its top projecting into that next above. These indications of a terrestrial flora were observed over an area of several square miles, but the exact relations of the strata to the oyster-beds could not be made out owing to the fact that the exposures of the rocks are so poor in this region.

MONTE DIABLO.—There was once a time when there were no human inhabitants in California, but there were two spirits, one evil, the other good; and they made war on each other, and the good spirit overcame the evil one. At that period, the entire face of the country was covered with water, except two islands, one of which was Monte Diablo, the other, Eagle Point (on the north side). There was a coyote on the peak, the only living thing there. One day the coyote saw a feather floating on the water which, as it reached the island, suddenly turned into an eagle, who, spreading his broad pinions, flew upon the mountain. The coyote was much pleased with his new companion, and they dwelt in great harmony together, making occasional excursions to the other island, the coyote swimming while the eagle flew.

After some time they counseled together and concluded to make Indians; they did so, and as the Indians increased the water decreased, until where the lake had been became dry land.

At that time what is now known as the Golden Gate was a continuous chain of mountains, so that it was possible to go from one side to the other dry-shod. There were at this time only two outlets for the waters, one was the Russian River, the other San Juan at the Pajaro. Some time afterwards a great earthquake severed the chain of mountains and formed what is now known as the Golden Gate. Then the waters of the great ocean and the bay were permitted to mingle. The rocky wall being rent asunder, it was not long before the "pale faces" found their way in, and, as the water decreased at the coming of the Indians, so have the Indians decreased at the approach of the white man, until the war-whoop is heard no more, and the council-fire is no more lighted; for the Indians, like shadows, have passed silently away from the land of the coyote and eagle.

In addition to the above legend, the following somewhat similar tradition is current among the Indians, and though we may not have the means of verifying it, is certainly full of interest.

It is related that where the Bay of San Francisco now is, there formerly was a great lake, much longer, broader, and deeper than the bay. According to the Indian account this lake was more than three hundred miles in length, with no outlet except in the rainy season, when it would overflow its banks and a small stream would run to the ocean some thirty miles south of the present outlet.

The ridge of hills along the coast was then unbroken and served as a dyke to



Earl Marshall

prevent the waters of the lake from escaping to the ocean. Its level was many feet above that of the ocean, while its waters extended far up into the present valleys of the Sacramento and San Joaquin. On the shores, centuries ago, there dwelt populous tribes of Indians; indeed, if credence may be given to the tales of the aboriginals, the present population of California will equal that of those ancient days, when the "noble red-man" fished in its waters and hunted through the forests.

The hills along the coast are formed of soft sandstone, and through this, the tradition relates, the water began to make a breach, which yearly grew wider, until it burst through and among the hills with tremendous power, leaving steep cliffs and precipices to mark its way—and what was once a lake several hundred miles in length, is now a bay not forty miles long. This may have been the cause for such a change, but it would seem far more reasonable to attribute it to some volcanic commotion which in those days might have been as prevalent here as they are now in Mexico and Central America.

How far this tradition can be corroborated must be determined by those who have the means; but no one who has witnessed the steep bluffs around San Francisco, or has passed the singular entrance of the bay, called the Golden Gate, with its perpendicular walls, or has seen the no less singular bluffs of Raccoon Straits, can for a moment doubt but that they were formed by some powerful agency, either fire or water.

Let us now for a little turn to consider the derivation of the name Monte Diablo, for by such a name is it known in the early English surveys. To the old Californian, it is recognized as the Sierra de las Golgonces, they asserting that Monte Diablo is the name applied by them to another and smaller peak in the neighborhood, while De Mofras calls the mountain Sierra de los Bolbone.

General Vallejo, than whom few better authorities on Californian lore exist, in his famous report to the Legislature dated April 16, 1850, says: "Mount Diablo, which occupies a conspicuous place in modern maps, is the center of this county (as it was then and still is). It was intended so to call the county, but both branches of the Legislature, after warm debates on the subject (the representatives of the county opposing the said name), resolved upon the less profane one of 'Contra Costa.'" The following he then gives as the history of Monte del Diablo: "In 1806 a military expedition from San Francisco marched against the tribe 'Bolgonces,' who were encamped at the foot of the mount; the Indians were prepared to receive the expedition, and a hot engagement ensued in the large hollow fronting the western side of the mount. As the victory was about to be decided in favor of the Indians, an unknown personage, decorated with the most extraordinary plumage, and making divers movements, suddenly appeared near the combatants. The Indians were victorious, and the incognito (*Puy*) departed towards the mount. The defeated soldiers, on ascertaining that the spirit went through the same ceremony daily and at all hours, named the mount 'Diablo,' in allusion to its mysterious inhabitant, that continued thus to make his appearance until the tribe was subdued by the troops in command of Lieutenant Gabriel Moraga, in a second campaign of the same year. In the aboriginal tongue 'Puy' signifies 'Evil Spirit,' in Spanish it means 'Diablo,' and doubtless it signifies 'devil' in the Anglo-American language."

It is said that there is an old Californian legend in this regard preserved in the archives of one of the missions, which runs thus:—

Soon after the arrival of the Spanish padres here, about the year 1769, to locate missions and civilize the aborigines, the Indians, among other tributes which they brought to the pious fathers in token of their obedience, produced a quantity of gold nuggets, which they brought from the vicinity of a high mountain adjacent to what is now known as the Bay of San Francisco, and which, according to their rude traditions, had once vomited forth both fire and smoke. The padres foreseeing in this abundance of "the root of all evil" the future destroyer of their pastoral plans of settlement and the permanence of the Roman Catholic religion among these primitive tribes, determined to prevent the use of, or hunting for, the precious metal. They accordingly took all the gold which had been collected, and having secretly poisoned it, placed it in a tub of water, and told the Indians to make their dogs drink it. The simple natives, accustomed to yield implicit obedience, did as they were ordered, and the dogs that drank thereof died. The padres then pointed out this as an instance of the ruin and destruction which would visit them and their country if they meddled any more with so dangerous an agent, and from that time the Indians carefully avoided the place whence the treasure was obtained, and, which, as the gold was held to be of a diabolical origin, and especially sent to carry out the plans of his Satanic Majesty, they ever after named Monte Diablo, or Devil's Mountain.

The mountain is also said to take its name from a marvelous phenomenon witnessed amongst its wild and precipitous gorges, at a time when, in the language of an old trapper, "Injins war plenty, and white women war not." It is related that once, in an expedition against the horse-thief tribes who inhabited the valley of the San Joaquin as far down as the base of the mountain, the native Californians came up with a party of the freebooters, laden with the spoils of a hunt, and immediately gave chase, driving them up the steep defiles which form the ascent of the mountain on one side. Elated with the prospect of securing and meting out punishment to the robbers, they were pressing hard after them, when lo! from a cavernous opening in their path there issued forth such fierce flames, accompanied by so terrible a roaring, that thinking themselves within a riata's throw of the principal entrance to his Infernal Majesty's summer palace, the astonished rancheros, with many "carajoes!" and "carambas!" and like profane ejaculations, forgot their hostile errand, and turning tail scampered down the mountain faster than they had gone up. Reciting the adventure to their fellow-rancheros on their return, it was unanimously agreed that the devil and his chief steward had fixed their abode in the mountain, and in compliment to the great original dealer in hoofs and horns, they gave the present name of Monte Diablo to the scene of their late terrific exploit and discomfiture. As for the Indians, who as they declared, all mysteriously disappeared as the flames rose in view, of course the Dons afterwards insisted that they were the favored children of the devil!

So much for these legends of Diablo. There are other stories connected with the mountain, bordering on the marvelous, or rather the diabolical, one of which is that a herdsman who had lost his way among the cañons, discovered what he supposed by the fading light of day to be a spring of clear water in a hollow rock, and

that stooping down to appease his thirst, he was rather surprised at the marvelous celerity with which the supposed water slid down his throat and through his stomach, like drops of real water off the back of a duck. It was afterwards supposed that he drank from a pocket of liquid quicksilver, a supposition which subjected the old mountain to a pretty rigid investigation in 1848, by cinnabar hunters. Whether the tradition of the burning mountain had anything to do, also, with the explorations which were made about the same period (just before the general discovery of gold) for coal mines, we are not advised, nor whether the coal-bed since discovered suggests an explanation, or furnishes an hypothesis by which to account for the burning pit which opened before the astonished gaze of the Indian scouting party, we leave it for others to determine, as we do also which of the above legends offers the most plausible reason for the name Monte Diablo.

This cognomen has, however, had its enemies. In the session 1865-66 of the California Legislature a petition was introduced by a Mr. Dodge asking for a change in the name of Monte Diablo. The *Bulletin*, a San Francisco newspaper, thus enters into a little *badinage* on the subject: "It may possibly be a trick of the devil himself to get another *alias*, or, perchance the prayer comes from a bevy of 'out-cropping poets,' living at the base of the mountain, who want the name changed to Parnassus. The probability is, however, that the petition originated with some mining company who want to get the name changed to 'Coal Hill,' or some other ridiculous title, in order to advertise their bituminous deposits. In either case, it is an absurd proposition, and besides it can't be done. The Legislature is not equal to the task. They may succeed in changing the name of Smith to Jones, or Brown to Johnson; but when they undertake to give a new title to one of California's grandest old mountains, they reckon without their host. The popular voice won't accept the change. Though the Legislature may say 'Coal Hill,' the people will continue to say 'Mount Diablo,' and Diablo it will remain. It is safe to bet that when that towering lump of earth ceases to be called Mount Diablo there will be no mountain there, if, indeed, there be any California.

'While stands the Coliseum, Rome shall stand;
When falls the Coliseum, Rome shall fall;
And when Rome falls, the World.' "

The State Geologist, in his report published in 1866, says of this grand old mountain:—

"To the Survey it has served as a sort of key for unlocking the stratigraphical difficulties of the whole line of upheavals from Los Angeles to Clear Lake, and it was here that the cretaceous formation in the State was first clearly recognized.

"Monte Diablo itself is one of the most conspicuous and best-known landmarks in California. But few persons in the State can have failed to recognize it from some point either of the coast ranges or of the Sierra Nevada. It is not its great elevation which has given it its pre-eminence among the innumerable peaks of the coast ranges; it is just the height of Mount Bache, near New Almaden, a point hardly known by name to those who have not made a special study of the geography of California, and it is overtopped by Mount Hamilton, San Carlos, and some nameless peaks to which no public attention has ever been attracted. The reason why Monte Diablo has so marked a pre-eminence among the peaks of the coast ranges is, that it is, com-

paratively speaking, quite isolated, especially on the northwest, north and northeast, the directions from which it is most likely to be seen. To the traveler passing up Suisun Bay, or the Sacramento or San Joaquin Rivers, it presents itself in all its symmetry and grandeur, rising directly from the level of the sea, and easily recognizable from a great distance by its double summit and regular conical outline, resembling that of a volcano, which it was generally supposed to be by the early settlers.

"If the mountain is made such a conspicuous landmark by its isolated position, it becomes itself, in turn, a point from which a vast area of the State may be observed and studied. Rising as it does among the coast ranges, these may be traced from its summit, from Mount Hamilton on the south to unnamed peaks in the vicinity of Clear Lake on the north, and from the plains of the Sacramento and the San Joaquin to the Pacific, east and west. The great interior valley of California lies spread out like a map, extending as far as the eye can reach. To the east the view seems illimitable, and it is believed that there are few, if any, points on the earth's surface from which so extensive an area may be seen as from Monte Diablo. This is due to the peculiar form of the great valley of California and the gradual rise of the Sierra, which brings higher and higher points to view as the distance becomes greater. The eye can range over an extent of four hundred miles from north to south, and back to the east, or towards the summit of the Sierra, as far as the crest of this range, the farthest northern point visible being Lassen's Buttes, and the most extreme southernmost point near Owen's Lake, probably, thus affording a range over this snow-crested line of mountains of over three hundred miles in length. The whole area thus spread out can hardly be less than forty thousand square miles, not much less than that of the whole State of New York."

By an easy grade the way to the summit wends through the romantic Pine Cañon, skirted by precipitous hills, and occasionally buttressed by craggy pinnacles of rock whose shapes often assume the most fantastic forms. As the road ascends the flank of the mountain, each new curve opens up a fresh scene of beauty surpassing the one which preceded it, and the eye gradually takes in the added splendors of a panorama extending north, south, east and west, to the farthest horizon's verge. Some two miles from the summit we reach the building that formerly was used as an hotel, and near where in days of yore the toll-house stood. This point is the junction of the road from Danville, and from thence to the apex of Diablo there is but one route. As we ascend the mountain the pulse is quickened with each upward step, for each step adds a new glory to the scene, and when we reach and stand upon the summit, inhaling air,

"Pure as the icicle that hangs on Dian's Temple,"

with our vision sweeping over the vast extent of country, we feel our hearts expand, while our lips, in the language of poesy, exclaim:—

"It is a land of beauty and grandeur,
Where looks the cottage out on a domain
The palace cannot boast of—seas and lakes,
And hills and forests, golden grain and waves
'Midst mountains all of light, that mock the sun,
Returning him his flaming beams, more thick
And radiant than he sends them;
Forrents here are bounding floods,

And when the tempest comes,
It roams in all the terrors of its glory.
And then the valleys—ah ! they are
The homes for hearts—the cottages—the vineyards—orchards—
The pastures, studded with the herd and fold !
A free—a happy, grand and glorious country !”

The view from the summit is magnificent—beyond all description. Standing there on a clear day, and overlooking the craggy precipices and deep ravines, which impart an air of wild grandeur to the immediate vicinity, around the base of the mountain you behold, in all the elegance of their graceful outline and the beauty of their light and shadow, the admirably rounded foot-hills, gradually diminishing in prominence until they merge with the delightful valleys through whose groves of wide-spreading oaks and sycamores the eye involuntarily traces out the meandering courses of the sparkling waters, that after having dashed down their rugged mountain channels, appear to delight to linger amid the scenes of dreamy beauty with which they are surrounded.

Looking north you see the rich, populous valleys of Napa, Sonoma, Petaluma, and Russian River, and in the distance the succession of mountain ranges in Mendocino. On the east you see the Sacramento and San Joaquin Plains, with their great rivers coursing through them, and the snow-enveloped Sierra Nevada; and towering high above all, at the extreme verge of the horizon, you can discern Lassen's Buttes, which, in a straight line, is distant from Monte Diablo, two hundred miles. On the south the noble San Francisco Bay, the Coast Range, and Santa Clara Valley form a picture of rare loveliness. On turning to the west San Pablo Bay with its numerous inlets, the city of San Francisco, the streets of which are plainly visible, Goat Island, Alcatraz, the Golden Gate, and the horizon-bounded ocean, complete a vast panorama of picturesque beauty and grandeur, which, as seen on a clear day, surpasses all effort of portrayal.

Whoever has watched the coming of daylight, and seen the sun rise in ordinarily clear weather from the summit of Monte Diablo has witnessed one of the grandest spectacles of creation. Will the reader for a moment think of standing on a point commanding a twelve-hundred-mile sweep of horizon, and after wondering at the huge changing shapes and shadows of the mountain pile lying below in the pale light of the moon, setting in the west, watching the growing white light of day lifting in the east and tinting the sky above the Sierra range with pale soft rainbow hues, then, preluded by a momentary intense white shimmer, seeing a burst of vivid maroon-colored flame break above the mountain crests two hundred miles away, and the sun spring up, a glowing globe of red fires, which flash with intensity, the same colors, as the rays touch the waters, spreading through the tule marshes in the track of the sun across the great valley. Turning then to the west, the shadow of the mountain from which the spectacle is seen lies softly, but plainly, defined across the western valleys and hills, with its conical shadow-peak high up in the sky above the crests of the Coast Range.

But there is a much grander sight than even this. The reader may be surprised when he is informed that a dense fog, so unacceptable to the denizens of the lower regions, affords this grander sight. We have seen several such in different parts of

the world, and think them the most impressive and grandest of Nature's wonders, throwing the sun's rising or setting completely into insignificance. Far as the eye can reach, a slowly moving mass of gigantic, translucent vapors, traveling in stately grandeur, lies spread out hundreds of feet below, utterly obscuring hill and valley, as much so as though they had been what they much resembled, the stupendous billows raised by a mighty storm, and, then, as the power of the sun's rays dispersed their force, might be seen peeping through the ocean of foam first one, and then another hill-top, and the vapors, following the various inequalities of the land, might be seen tumbling over the hill-sides grand as Niagara's mighty cataract. None who have once seen this sight are likely ever to forget it.

As the mists clear away the eye first turns its expectant gaze towards the blue waves of the Peaceful Sea, and there it is; and, if the season be spring, over the greenest of valleys brilliant with myriads of wild flowers; over the bay, and the Bay City; over the portals of the Golden Gate, until one's eyes drink in the sight of the Pacific as far as the Farralones de las Grayles, twenty miles beyond where its waves thunder upon this rocky coast. We can appreciate now the feelings which made Balboa speechless, when, from the pinnacle up to which he had climbed, he first looked upon this grand old ocean. In our own vicinity, we have to the south McGreer's Cañon, Moraga, Tassajara, Green, Sycamore, and San Ramon Valleys. To the north one glances over Diablo Valley, Martinez, the Straits of Carquinez, Benicia, Vallejo, Mare Island to the horizon along which extends, as far as the eye can reach, the snow-white peaks of the Sierra Nevada. This fascinates the eye as much as the west view of the Pacific. To the east one overlooks the smaller of the two peaks of Diablo, to the San Joaquin Plains and Stockton.

Monte Diablo bears unmistakable evidence of having once been a volcano of some force. A portion of the crater is still well marked and can be traced without difficulty. The igneous rocks lie along its cañons from base to summit. The primitive slate and granite, with intervening ledges of quartz, crop out everywhere. Much of the range north and south of it partakes of the same character and must have been elevated with it. Limestone is found in many places on the eastern slope—an indication to the mineralogist that silver will be found in greater or less quantities among its mineral deposits. The height is three thousand eight hundred and seventy-six feet.

The *New York Times* is responsible for the following amusing anecdote about Monte Diablo, with which we propose closing this portion of our subject: "In early California settlement days, it was deemed 'the cheese' for the adventurous Yankees to pay great deference to the Roman Catholic predilections of the aboriginal and abo-Mexican population. One sharp but illiterate chap, from somewhere near sunrise, happened to fix his eyes upon certain rich lands in the neighborhood of Monte Diablo; and on a tempting occasion, when some saint's festival called together on that mountain all the local dignitaries of the church, our Yankee made his 'ten-strike.' After volubly impressing upon all who would hear him his intense respect and veneration for the only true church, and his love for her ministers (those who could convey the coveted lands, of course, being meant), he culminated in a brilliant idea. He had somehow learned that the Spanish Catholics were partial to the prefix 'San,' and he

knew that it meant 'Saint.' So, winding up a speech intended to be eulogistic of all the saints in the calendar, he said: 'Now, venerable fathers and laymen, allow me to propose that, on this memorable occasion, we add one more to the brilliant galaxy of sacred names in this beautiful land—one more saint to the glorious list that honors the Golden State; I propose, sirs, that the mountain on which we are now standing be hereafter and forever known as San Diablo.' It is recorded that the worthy fathers were for a moment in doubt whether to be indignant or pass 'Saint Devil' off as a joke, and the question was never fully settled; but the ambitious sponsor, somehow or other, never got the land, and would always insist that the priests were a stupid lot of humbugs.'

TOPOGRAPHY.—Alameda County is shaped like an L, fronting thirty-six miles long on the eastern shore of San Francisco Bay, and extending back about the same distance till it reaches the western channel of the San Joaquin River. The county is about equally divided between level land and mountains, the former being on the Alameda Plain along the shore of the Bay; in Castro Valley in the Contra Costa Ridge; in Amador, Suñol and Livermore Valleys, and in that of the San Joaquin. The Contra Costa and Monte Diablo Ranges of the coast mountains cross Alameda County from north to south, running nearly parallel, and separated by a few miles, the former being the more westerly. Numerous spurs from each project, at various angles, forming a series of beautiful and fertile valleys, all connected with each other, but having different names where thus partially separated by these spurs. Among the most important of these valleys are Livermore, Suñol, Castro, Amador, and Moraga. The principal stream in this county, and from which it derives its name, is the Alameda Creek. It rises in the Monte Diablo Range, near Livermore Pass, and running through a cañon in the Contra Costa Mountains, near the old Misson of San José, empties into San Francisco Bay, near Union City, supplying water-power for several grist and other mills on the way. The Alameda Creek was declared navigable by law, but it is such, in fact, to the extent of tide-water only. Between the northern limits of the county and the San Leandro Creek are many small streams, having their source in the San Pablo Hills and flowing a uniformly southwesterly direction to the bay. Of these the principal ones, commencing at the north, are Cerrito Creek, Cordonices Creek, Temescal Creek, of which there are two branches, in the southerly one of which the Contra Costa Water Company have a reservoir, Indian Gulch, Sausal or Fruit Vale Creek. San Leandro Creek, which is of some size and importance, from the fact of its being one of the sources of the water-supply of the city of Oakland, has its rise in Contra Costa County, flows in a southeasterly direction for about ten miles through gorges of the Coast Range, where it abruptly turns to the westward, crossing the valley and emptying into the bay. Its principal tributary is the Grass Valley Creek, near the junction of which with San Leandro is a reservoir of the Contra Costa Water Company. San Lorenzo Creek is made up of Cull, Eden, and Crow Cañons, and Palomares Creeks, and flowing in a southwesterly course traverses some of the best agricultural lands in the world. Segunda or Dry Creek, empties into the Alameda, near Decoto. Mission Creek, a stream of some size and importance, rises in the mountains at the back of the Mission, and flows through the town. Its waters were the first of the streams of the county to be utilized, a flouring-mill having been built

here at an early day. To the east of the mountains the principal streams are: Corral Hollow Creek, which rises in San Joaquin County, flows westerly about ten miles, then returns in an easterly direction into the San Joaquin Valley. Arroyo Mocho flows from the extreme southeast corner of the county in a northwesterly direction near Livermore and becomes lost in the lagoon near Pleasanton. Arroyo Vallé flows from the same quarter in a nearly parallel course with the Arroyo Mocho, past Pleasanton, and empties into the lagoon. Calaveras Creek rises in Calaveras Valley, Santa Clara County, flows a northerly direction, joining the Alameda at Suñol. Its principal tributary is the Arroyo Honda (Deep Creek).

We have stated above that a range of lofty hills extends the entire length of the bay-front of the county, at an average distance of about five miles inland, and are designated by different names, as the San Pablo Hills, Contra Costa, and Coast Range. The highest elevation attained is at Mission San José, which is two thousand, two hundred and seventy-five feet above the level of the sea. These mountains are sparsely wooded with live-oak, manzanita, and chaparral. By deep cañons, which, at intervals, cut this range, trails and wagon-roads are practicable. Leading from the Mission de San José eastward is the old Stockton Pass, the highway of the pioneers; and a short distance to the north is the Alameda Cañon, through whose majestic gorges the Central Pacific Railroad winds its tortuous way. By Hayward's Pass, which follows the course of the San Lorenzo Creek, San Ramon Valley is reached; while from San Leandro, the Moraga Valley is attained by a road following the bed of the San Leandro Creek. From the vicinity of Fruit Vale the redwood country of the San Antonio is reached by a road of easy grade. Through Indian Gulch is a toll-road, called the Thorn Road, leading into Contra Costa County. The northernmost road traversing the range is by the north fork of the Temescal Creek. Along the entire southern and eastern portions of the county are mountains and rugged hills, hardly fit for grazing purposes even. An exception occurs at the northeast corner of the county, where part of the San Joaquin Valley is included within the boundary.

The San Joaquin is accessible from Livermore and the interior valleys by two routes, the Middle Pass, or Patterson Road, and the Livermore, or Mountain House Road.

CLIMATOGRAPHY.—The climate of California varies with almost every locality, preserving but one feature that is in any sense uniform—wet winters and dry summers. During the winter snow falls to a great depth in the Sierra Nevada and in small quantities upon the mountains of the Coast Range; but seldom any in the principal valleys. Along the sea-board, and wherever the country approaches the ocean level, the winters are warm and pleasant, showers alternating with sunshine, in agreeable contrast. In the summer, the cold, northern trade-winds set in about the first of May and sweep the coast regularly. The Spanish galleons, bound from Manilla to Acapulco, three centuries ago, steered for Cape Mendocino, where they would encounter the northwest trade, and run before it, with swelling sails, to their beautiful harbor. Cool, cloudless nights and delightful mornings attend these winds, but in the remote valleys, beyond their influence, the summer heat is intense and the



Wm. Hayward

air dry. In the valleys that lie near to the coast, like that of Alameda, Santa Clara, Napa, and the great Russian River country, the intervening chains of mountains break the blast and make the summers pleasurable—neither too hot nor too cold.

In Alameda County the winter, or rainy season, though ushered in by occasional showers, usually commences in the month of November, when vegetation starts. The summer winds have died away, save those that blow from the south and come laden with welcome rain. It must not be thought, however, that we wish to convey to the uninitiated the impression that this is a season of continuous rain. Such is not the case. It is a season of showers, sometimes of several days' duration, followed by weeks of fine, clear, balmy weather, during which the farmer tills his soil and sows his seed. By the month of March the heavy rains cease, and occasional showers infiltrate the earth until May, when the verdure attains its fullest perfection and the country looks its best. Snow seldom falls in the valley, but it frequently is to be seen upon the summits of the hills, where, however, it remains but a few days, and frost occurs, severe enough to destroy the more tender plants, but not to interfere with the growth of grasses and many kinds of vegetation.

We might here observe that the winter of 1882-83 was an unusually cold one, both snow and frost being severely felt. On December 30, 1882, there was the heaviest fall of snow ever experienced in California.

Except alfalfa the grasses are annuals. This particular species is a coarse variety of clover, with deep roots, sometimes extending from ten to fifteen feet into the earth. It has a hard, woody fibre, about an inch in diameter, retains its verdure from year's end to year's end, and affords excellent pasturage for cattle. Roses remain in foliage throughout the winter, blossoming in sheltered places, while various species of evergreen shrubs and trees, unknown to the Eastern climate, at once lend a cheerful aspect to the landscape. The apple, pear, peach, plum, and other varieties, are denuded of their leaves, as at the East.

And now comes the season of harvesting, which the farmers perform at their leisure, leaving their stacks unprotected and their grain in sacks piled in the open fields for months at a time. No rain ever disturbs their labors. It is the finest harvest weather imaginable. The days are uniformly cool, with rare exceptions, enabling man and horse to accomplish the largest amount of work with the least fatigue. During the forenoon, a good breeze springs up from the north, blowing steadily till night; but unlike the cold winds of the sea-board, it is tempered to a genial mildness by the fervid rays of the sun. From May until October the sky is usually cloudless, save with an occasional fogbank hovering over the valley, in the early morning, which is soon dispelled by the sun. There is but very little dew; vegetation dries up; the fields become sere and brown; the roads are exceedingly dusty, and a universal drought prevails. Yet, though dry, the grasses retain their nourishment and the stock thrive thereon until the winter's rain again descends and a new growth commences.

These lengthy, dry summers are truly the perfection of this climate; the desiccated, cool atmosphere being a sure protection against malaria, hence fevers are almost unknown. The nights are positively sublime. Invariably cool enough to require thick covering. Sleep becomes a luxury rarely enjoyed in other lands. It is this peculiarity of climate that gives such perfection to the cereals, such luster and lusciousness to the summer fruits produced in Alameda County.

Next come the hazy autumn days. The trade-winds have ceased; the atmosphere grows thick with gathering moisture; the changing currents whirl the dust and leaves into weird columns; the south wind settles down to its work, and the drama of the seasons is repeated.

In concluding our subject of the climatology of Alameda County let us quote from Lieutenant Maury, that eminent scientist whose fame is world-wide. He says: "The calm and trade-wind regions or belts move up and down the earth, annually, in latitude nearly a thousand miles. In July and August the zone of equatorial calms is found between 7° N. and 12° N; sometimes higher; in March and April, between latitude 5° S. and 2° N. With this fact, and these points of view before us, it is easy to perceive why it is that we have a rainy season in Oregon, a rainy season and a dry season in California, another at Panama, two at Bogota, none in Peru, and one in Chili. In Oregon it rains every month, but about five times more in the winter than in the summer months. The winter there is the summer of the southern hemisphere, when this steam-engine is working with the greatest pressure. The vapor that is taken by the southeast trades is borne along over the region of northeast trades to latitude 35° or 40° N., where it descends and appears on the surface with the southeast winds of those latitudes. Driving up on the high lands of the continent, this vapor is condensed and precipitated, during this part of the year, almost in constant showers, and to the depth of about thirty inches in three months. In the winter the calm belt of Cancer approaches the equator. This whole system of zones, viz.: of trades, calms, and westerly winds, follows the sun; and they of our hemisphere are nearer the equator in the winter and spring months than at any other season. The southeast winds commence at this season to prevail as far down as the lower part of California. In winter and spring the land in California is cooler than the sea air, and is quite cold enough to extract moisture from it. But in summer and autumn the land is warmer, and cannot condense the vapors of water held by the air. So the same cause which made it rain in Oregon makes it rain in California. As the sun returns to the north, he brings the calm belt of Cancer and the northeast trades along with him; and now, at places where, six months before, the southwest winds were the prevailing winds, the northeast trades are found to blow. This is the case in the latitude of California. The prevailing winds, then, instead of going from a warmer to a cooler climate, as before, are going the opposite way. Consequently, if under these circumstances they have the moisture in them to make rains of, they cannot precipitate it. Proof, if proof were wanting, that the prevailing winds in the latitude of California are from the westward, is obvious to all who cross the Rocky Mountains or ascend the Sierra Madre."

It will thus be seen that the wind, which has so general an influence upon our climate, comes directly from the Pacific Ocean, forces its way through the Golden Gate, and, striking the Contra Costa Hills, is wafted into the many delightful valleys of the continuous counties.

SOIL AND PRODUCTIONS.—The following remarks have been culled from "The Natural Wealth of California," by Titus Fay Cronise:—

The soil of the plains in this county is generally a rich, black, sandy loam, from six to fifteen feet deep, resting on a substratum of sand and gravel, and is sufficiently

moist to grow any description of fruit, grain, or vegetables, without irrigation. The soil on the foot-hills and mountains is somewhat lighter in color, not so deep, but gravelly and dry, and everywhere fertile.

With so fine a soil and climate, and with so many facilities and inducements for its cultivation, the greater portion of this county, adjacent to the Bay of San Francisco, has been converted into continuous gardens, orchards, and grain-fields; but much of the best land in the southeastern part of the county, east of the Contra Costa Mountains, including portions of the Amador and Suñol Valleys, is but partially cultivated.

Thirteen miles southeast from Oakland, on the northern bank of the San Lorenzo Creek, is the garden from which Oregon obtained its best apple and other fruit trees. In 1846, John Lewelling, the pioneer nurseryman of the Pacific Coast, took a wagon-load of fruit trees raised here, into that State, which were among the first ever planted there. In this vicinity are several other extensive nursery and seed gardens, the soil and climate being peculiarly well fitted for horticultural purposes. Here, Daniel L. Perkins raised the hundred and thirty varieties of vegetable seeds exhibited at the Paris Exposition in 1867, for which he obtained a premium, and what proved more profitable, numerous orders for supplies from the Atlantic States, France, England, Germany, Russia, China, Japan, and several other countries. The products of this gentleman's little patch, is singularly suggestive of the silent but effective influence the productions of California are exciting abroad.

To illustrate the richness of the soil in this locality, and the proportions of the vegetables raised here, we mention the following facts: A beet raised in Mr. Lewelling's garden, weighed two hundred pounds; in 1867, R. S. Farrelly raised a carrot which measured thirty-six inches in length and thirty-one inches in circumference, weighing thirty-one pounds after the leaves were cut off. These mammoth proportions are not confined to the vegetables alone, but extend to fruits, flowers, and berries. Cherries of the Graffan variety, grown in Lewelling's orchard, in 1867, were selling in the streets of San Francisco, which measured three inches in circumference; pears raised here frequently weigh three and a half pounds; strawberries, which are extensively cultivated, also grow to an extraordinary size. Mr. Pancoast, who in 1867 cultivated a patch of eighty acres, raised many berries weighing from one and a quarter to one and a half ounces each.

Amador Valley, formerly the valley of San José, where the padres of that old mission pastured their cattle, is now the great grain district of this county. It is of a triangular form about eighty miles in diameter, and nearly surrounded by low, grassy hills, being spurs of the Monte Diablo and Contra Costa Ranges. Its soil is a moist, sandy loam, producing good crops of wheat, barley, and corn, when less favored districts suffer from drought. Where not under cultivation, its surface is covered with thick crops of wild oats and burr clover, the most nutritious of all the native grasses. Less than twenty-five years ago this valley was a cattle ranch—twenty thousand cattle, fifteen thousand sheep, and three thousand horses finding abundant pasturage in the vicinity. But it is all fenced in now and no cattle except milch cows, working oxen, and horses, graze on the surrounding hills.

The increase in the value of land in this valley, since it has been brought under

cultivation, and its productiveness ascertained, has been very considerable. In October, 1867, three thousand acres of the rancho El Valle de San José (at the lower end of it) were purchased for seventy thousand dollars; two years previously the purchaser had declined the same property when offered for thirteen thousand five hundred dollars.

In Livermore Valley are located some of the largest grain-fields in the State. In 1867, Richard Threlfall cropped here four thousand acres, all embraced in one field, and averaged twenty-four bushels to the acre; some portions as much as forty bushels averaging sixty-two pounds per bushel. On the eastern side of this field, where the rays of the sun reached the grain in the early morning, while the dew remained upon it, it appeared almost solid enough to walk upon. The tall straw, nearly four feet high, was perfectly straight, and the compact growth of the ears rendered it impossible for the heavier to droop. When threshed, almost every grain in the immense field was of the same size and color, pale and plump, as good California wheat always is. This grain farm gives employment to sixty men, one hundred and forty horses and mules; uses three headers, five reaping machines, and two steam threshers. In the plowing season, eighty acres are plowed, sowed, and harrowed daily.

In reference to the products of this valley, the yield above stated, although quite large as compared with that usually obtained in other countries, is not quite up to the average in this locality, such large fields not being as well managed as smaller ones. On the Santa Rita Ranch adjoining, one hundred acres yielded seventy-five bushels per acre; a field of sixty acres, in the same valley, producing sixty bushels to the acre.

Connected with the Amador Valley are two smaller valleys—the Alamo and Tassajara, both equally fertile. The whole of these valleys, and a considerable tract lying adjacent, were included in the rancho once owned by José Maria Amador, whose name it now bears. Amador, in 1850, sold this property to Americans for a trifle. In 1866, one of his sons obtained a precarious living as a squatter among the hills that surrounded the valley in which he was born, and which, under American enterprise and energy, has since produced many million dollars' worth of grain.

POMOLOGY.—Let us now take a retrospect of another division of pioneer labor, in the fields of horticulture, which, though not so pretentious in its growth, at the same time exercises not less abiding influences on our well-being. It has been said, "Fine fruits are the flowers of commodities." A tree planted is an heirloom for future generations; it is a sign of expanded culture and civilization; its shade as grateful to the wayfarer as to its owner, without diminishing his substance. The mission fathers early planted orchards of such kind as it was then possible to transplant from Mexico or old Spain; they had several varieties of pears, a few apples and almonds. Pomegranates, figs, olives, and grapes were more assiduously cultivated. The grapes, mashed and fermented in large rawhide vats, yielded an amber juice celebrated for its sugary and fruity flavor. With the expansion of settlements, such trees and vines were sparsely planted by the rancheros. On the advent of the Americans, fruit of any kind, and especially grapes, bore fabulous prices, inducing many, from the innate love of the occupation, others carried by the money point, to bend all their energies, supported by capital, untiring industry and perseverance, to obtain from foreign countries the choicest and best varieties, and acclimate them in our midst. Unfortunately

the majority of trees thus obtained at exorbitant prices proved worthless, as not true to name, or not suited to the climate, or not satisfactory to public taste; many were planted in improper locations, some dried up, and more were killed by irrigation or overflows.

A few fruit trees planted in the years 1851 and 1852 still survive. Alameda County, within hail of San Francisco, with the most perfect climate, possesses also the richest of soils, and admirable locations. Here a slope, basking in the full sunshine, fit to distill the sugar-essence of grapes; there a low, moist, cool valley, the home of the apple and plum; or a rich, mellow, alluvial soil, sheltered, cosy and warm, where the peach blushes as a rose, and gives challenge for its sugary juiciness. All this ground, if well cultivated, is abundantly watered by the dews of heaven, carried on soft wings to this their resting-place. The choicest varieties of grapes grow to perfection. Pomegranates, olives, figs, and almonds find a congenial home. Oranges require but little shelter when young, not more than in Italy or Spain, soon get acclimated, and the golden fruit ripens well.

The experience now gained in the manner of cultivation, the selection of favorable locations, the knowledge of varieties desirable for certain uses, the way of preparing them for market, and the ready foreign demand now created for these products, make the venture now certain of pecuniary profit, and is soon to be considered indispensable in mixed and advanced husbandry—which we must now diligently cultivate, if not wishing to be left behind in the race for prosperity and advancement. Thus, from five to twenty acres on each farm, planted with fruit suitable for drying, raisins, or wine, will make a gradual transit from the old ways of farming, without jeopardizing present sources of income, and will create a demand for Alden factories, raisin camps and co-operative wine cellars. Then it will be apparent how long we have remained in an indolent, Rip Van Winkle slumber of grain-growing to supply cheap bread to distant nations, and impoverishing ourselves for their sakes.

SALT-MAKING.—Among the many productive resources of Alameda County that of marine salt-making is one of the most important. The natural advantages for prosecuting this industry are nowhere better than on the eastern shore of the Bay of San Francisco. A vast extent of land, designated on maps as "salt marsh," lies between San Leandro Bay on the north and the Warm Springs Landing, or Harrisburg, on the south, and between these points the salt works of Alameda County are located. These marshes are traversed in all directions by estuaries or sloughs putting in from the bay, very many of which are navigable, thus affording easy access to the salt fields and means for cheap transportation.

In the "Second Report of the State Mineralogist of California, from December 1, 1880, to October 1, 1882," we find the subject most elaborately treated. It informs us that in 1848-49, on the shores of San Francisco Bay, native Californians gathered solar salt from natural reservoirs, which at high tides overflowed. The salt accumulated in these basins until it had formed a deposit of eight inches or more. When the natural deposit became exhausted, advantage was taken of the lesson taught by nature, and salt works of the crudest forms were commenced, which led to the present extensive works. The lands were taken up first by launchers, mostly Swedes, who

sailed their vessels and barges on the bay. The salt was of very inferior quality, and was produced at great disadvantage, but the consumers of that day were easily satisfied, and the price paid the producers well for their labors. Those companies first in the field were able to select locations best adapted for their purpose; those following them did not always succeed in finding fields so suitable. In 1862, John Quigley, said to be the pioneer, commenced work at Alvarado, or Union City. He was followed by F. A. Plummer. It is not surprising that when consumers became more fastidious, bay salt should have found it hard to compete with the better article imported from Liverpool and the East. About that time it was customary for merchants, both in Europe and the United States, to send out cargoes of assorted merchandise on venture, trusting to obtain for a portion such prices as would compensate for loss on others. It was not unusual to see large quantities of merchandise put up at auction and selling at prices much below cost of importation, while other goods readily brought many times the cost price. This condition of things flooded the State with merchandise, against which no manufacturer could compete, and goods forced on the market soon acquired a reputation for quality they did not deserve. These circumstances have always counted against home production, and it is only lately that California manufacturers have been able to overcome the prejudices then formed. What has been said of imported goods generally, applies particularly to salt, which it has been shown was badly made at the commencement. Still the manufacture went on and was more or less profitable to those engaged in it. On the discovery of the silver mines at Washoe, there was a scarcity in the market. It was not then known that salt in the greatest abundance existed near Virginia City, and all the salt used in metallurgical works was sent from San Francisco and sold at thirty-five dollars per ton.

In 1868 salt works had extended from San Leandro Creek to Centreville, a distance of fifteen miles, and seventeen thousand tons were produced annually. There were seventeen companies, with a capital of one million, two hundred thousand dollars invested in the works, and one hundred laborers employed. From that time to the present the quality of the salt has been much improved, owing to more skillful and more careful manipulation; and while the importation of foreign salt still continues, the quantity is smaller every year, and it is admitted that California is quite able to produce all that can be demanded. At the time mentioned there were six steam mills in San Francisco employed in cleaning and grinding salt, a large proportion of which was for domestic use. The capital employed in these works was two hundred and fifty thousand dollars. In 1866 these ground and prepared twelve thousand tons of salt.

Salt is obtained from three principal sources—from rock salt, in which case it is extensively mined, and sometimes is sufficiently pure to be fit for consumption when simply crushed between rollers; from the concentration of natural brines pumped up from wells; and from the waters of the sea, or more frequently from the water of bays in which the sea water has become to a certain extent, although but slightly, concentrated. This latter production is called bay salt. At the present time a large proportion of the salt produced in this State is obtained by this method, and the principal works are on the shores of the Bay of San Francisco, where the conditions required

for the economic and extensive production of salt are found in the greatest perfection.

The following analysis of the waters of the Bay of San Francisco—samples taken off Oakland Wharf December, 1879—is by Fr. Gotzkow, chemist, temperature 72° Fahrenheit: Chloride of sodium, 23.756; chloride of potassium, 0.470; chloride of magnesium, 3.030; sulphate of lime, 1.263; sulphate of magnesium, 1.837; bromide of magnesium, 0.025; water, 969.619. Equal to 0.297 potash, 12.695 soda, 0.520 lime, 1.728 magnesia, 1.968 sulphuric acid, 16.900 chlorine, 0.020 bromine, in one thousand parts. The water of the bay is distinguished from sea water by the small proportion of potash and bromine. In the Atlantic Ocean, for instance, is found two and a half parts of potash and ten parts of bromine, against one part of the same in the bay.

On the eastern shore of the Bay of San Francisco extensive flats, very nearly level, extend for many miles. They may be seen figured on Whitney's map of the region adjacent to the Bay of San Francisco, published by the State Geological Survey, in 1873. It will be seen by this map that there is a large area suitable for the manufacture of salt, which for convenience of reference has been calculated into square miles and acres. The coast line, from the south line of San Antonio Creek, along the east side of the bay, to Mud Creek, and thence up the west side to Point San Bruno; is, by the scale of the map, sixty-four miles, and the area of swamp land, inside the tide land, from the points mentioned, is, roughly, one hundred and thirteen and sixty-eight hundredths square miles, equal to seventy-two thousand, seven hundred and fifty-five acres.

There is a large area about the bays of San Pablo and Suisun upon which salt could be made, if the waters of the Sacramento and San Joaquin Rivers do not too much dilute the sea water. It will be seen by this that the production of salt on the shores of San Francisco Bay is limited only by the demand. The source from which the salt is drawn is, of course, inexhaustible.

In writing of the manufacture of bay salt in California, it will be impossible to give a detailed description of each of the many works, for want of space, besides they will be found noticed in the industries of the townships in which they are located. Suffice it to say, in this place, that there are the following salt producers in Alameda County: Richard Baron; Estate of Captain Chisholm; Peter Christianson; Peter H. Jesson; John Johnson; Patrizio Marsicano; John Michaelson; Peter Michaelson; Andrew Oliver; Estate of — Olsen; D. Pestdorf; United Pioneer and American Salt Companies; Charles A. Plummer; John Plummer, Jr; John Quigley, Alvarado Salt Works; J. P. Tuckson; Union Pacific Salt Company; L. N. Whisby.

EARTHQUAKES.—There is a sort of nameless terror about an earthquake to those who have never experienced one, and to many who have, the sensation is anything but pleasant. But they are trifles compared with the terrible thunder-storms and hurricanes that prevail on the other side of the continent. Hundreds of people are killed by lightning there, to every one that loses his life by earthquakes here. The thunder-storms and tornadoes have this advantage, however: they send their warning signals of gathering, skurrying clouds ahead, to prepare people for the dire disaster

which may soon follow. The earthquake steals upon one when he least expects it. A sudden jarring of the earth, with perhaps a deep rumbling noise, followed by a quick, oscillating motion, which dies away in a gentle tremulous vibration, and all is quiet. The shock seldom lasts longer than eight or ten seconds. Many months sometimes intervene between these earth shocks, and then again we have known several to occur in a single day. For the last ten years they have been rare.

The heaviest shock experienced in Alameda since its occupation by Americans was on October 21, 1868, when several buildings were more or less injured. The shock extended for several hundred miles along the coast, caused considerable damage to property in this county and other places, and taught architects the necessity of improving their methods of building, by bracing and strengthening their walls in a more secure manner. In the construction of chimneys, also, galvanized iron has been substituted largely for brick. Wooden buildings are considered earthquake proof. They are seldom damaged to any considerable extent by the shocks.

There are various theories concerning the reason of these disturbances, which at present, however, are mainly speculative. It is possible that scientific research may eventually fathom the cause, if not provide a remedy. The electric theory has many advocates. In other countries the equilibrium of the upper air currents of electricity and those of the earth is established and brought about through the medium of cloud conductors as witnessed in the lightning's flash followed by the thunder peal. Here there are no cloud conductors during the summer months. The earth, it is supposed, becomes overcharged with electricity, which seeks an equilibrium with the upper air currents; hence the disturbance. This theory is strengthened by the fact that earthquakes usually occur in the fall of the year when the clouds begin to gather and the air becomes filled with moisture. "Good earthquake weather," is what old residents designate a warm, cloudy day preceding the winter rains. The "internal fire" theory has also its advocates. But whatever may be the cause, we much prefer an occasional earthquake to the frequent electrical disturbances that cause so much disaster to life and property in the Atlantic States.

ABORIGINES.—The beautiful valleys and mountain recesses of the Contra Costa afforded a grand home for the aboriginal tribes. Here they swarmed in large numbers, went through the drama of life, birth, consorting, and death, with an almost stolid indifference. How far back in the course of time this race extends, or whence came their progenitors, no man knoweth. If, as some scientists assert, the very first evidences of the human race appear on the Pacific Coast (at Angel's Camp, Tuolumne County), why should we doubt that they are the descendants of this primitive race? Wars, disease, natural phenomena, and other causes have conspired to destroy the original race from the face of the earth, or it may have remained for the pale-faced progeny of a kindred, yet far removed race, to perform the final act in the great drama of their existence as a people. Be that as it may, the great fact still remains, that when the Caucasians came to this coast they found it inhabited by a race of copper-colored people of peculiar physique and habits, differing widely from their brethren of the East, the Algonquins. The district now known as Contra Costa was no exception to the general rule, but was infested by a horde of these rude barbarians. To



Edson Adams

describe this people, their habits and customs, will be the object of the following remarks.

It is generally supposed that the Contra Costa was originally inhabited by four tribes of Indians, called Juchiyunes, Acalanes, Bolgones, and Carquinez, who were, all in all, a degraded race. Doctor Marsh described them as stoutly built and heavy limbed, as hairy as Esau, and with beards that would gain for a Turk honor in his own country. They had short, broad faces, wide mouths, thick lips, broad noses, and extremely low foreheads, the hair of the head, in some cases, nearly meeting the eyebrows, while a few had that peculiar conformation of the eye so remarkable in the Chinese and Tartar races, and entirely different from the common American Indian, or the Polynesian. He states further: "The general expression of the wild Indian has nothing of the proud and lofty bearing, or the haughtiness and ferocity so often seen east of the mountains. It is more commonly indicative of timidity and stupidity. The men and children are absolutely and entirely naked, and the dress of the women is the least possible or conceivable remove from nudity. Their food varies with the season. In February and March they live on grass and herbage; clover and wild pea-vine are among the best kind of their pasturage. I have often seen hundreds of them grazing together in a meadow like so many cattle. [If Doctor Boudinot only knew this fact, he would undoubtedly start a new theory that they are the descendants of Nebuchadnezzar.] They are very poor hunters of the larger animals, but very skillful in making and managing nets for fish and food. They also collect in their season great quantities of the seed of various grasses, which are particularly abundant. Acorns are another principal article of food, which are larger, more abundant, and of better quality than I have seen elsewhere. The Californian is not more different from the tribes east of the mountains in his physical than in his moral and intellectual qualities. They are easily domesticated, not averse to labor, have a natural aptitude to learn mechanical trades, and, I believe, universally a fondness for music and a facility in acquiring it. * * * They are not nearly so much addicted to intoxication as is common to other Indians. I was for some years of the opinion that they were of an entirely different race from those east of the mountains, and they certainly have but little similarity. The only thing that caused me to think differently is that they have the same Moccasin game that is so common on the Mississippi, and what is more remarkable, they accompany it by singing precisely the same tune. The diversity of language among them is very great. It is seldom an Indian can understand another who lives fifty miles distant; within the limits of California are at least a hundred dialects, apparently entirely dissimilar. Few or no white persons have taken any pains to learn them, as there are individuals in all the tribes which have any communication with the settlements who speak Spanish. The children when caught young are most easily domesticated, and manifest a great aptitude to learn whatever is taught them; when taken into Spanish families and treated with kindness, in a few months they learn the language and habits of their masters. When they come to maturity they show no disposition to return to the savage state. The mind of the wild Indian, of whatever age, appears to be a *tabula rasa*, on which no impressions, except those of mere animal nature, have been made, and ready to receive any impress whatever. I remember a remark of yours (Mr. Cass) some years ago, that

'Indians were only grown-up children.' Here we have a real race of infants. In many recent instances when a family of white people have taken a farm in the vicinity of an Indian village, in a short time they would have the whole tribe for willing serfs. They submit to flagellation with more humility than the negroes. Nothing more is necessary for their complete subjugation but kindness in the beginning, and a little well-timed severity when manifestly deserved. It is common for the white man to ask the Indian, when the latter has committed any fault, how many lashes he thinks he deserves. The Indian with a simplicity and humility almost inconceivable, replies ten or twenty, according to his opinion of the magnitude of the offense. The white man then orders another Indian to inflict the punishment, which is received without the least sign of resentment or discontent. This I have myself witnessed or I could hardly have believed it. Throughout all California the Indians are the principal laborers; without them the business of the country could hardly be carried on."*

The tribes inhabiting the Contra Costa did not differ materially from those in this section of the State, as they presented very similar characteristics, habits, and customs to those of the central portion of California. They were lazy and filthy, Doctor Marsh's assertion to the contrary notwithstanding, while, as to home, they were among the *fugitivi et vagabondi* class. Nature had provided for them with a lavish hand, and all they had to do was to reach forth their hands, pluck and eat. No vain ambitions lured them on in the great race of life; no baubles of riches enticed them into hardships of labor, either mental or physical. They lived to die. Whence or why they came upon the scene of action, it was not theirs to inquire; and, "whither are we drifting?" was a question over which they stopped not to puzzle their dull brains. And who shall say that they were not as happy in their listless life as are we of the higher type who wrestle with the inevitable almost from our infancy to our dotage? From an ethical point of view, and looking at the matter through the lenses of education, of course it could be said that their lives were worse than wasted; and when they vanished before the overwhelming tide of civilization, the world was rid of so much filth. But it is the old fable of the man and the lion repeated: seeing a picture of a man, the man remarked to the lion that "there stood the lord of creation." The lion asked who painted the picture, to which the man replied, "I did." "Ah!" said the lion, "it makes all the difference in the world who paints the picture of the lord of creation; I should have painted a lion." And so it is in this case. Indian ethics are not our ideas of duty to self or man; and it is not improbable that they lived up to the light they had on that subject quite as near as do their successors.

In regard to their costume, we have already said that it was of the most primitive nature, a slight strip of covering around the loins being full dress; but even this was not usual, for the greater number preferred walking abroad perfectly unclothed. During the winter the skin of a deer or other animal, or else a robe manufactured out of the feathers of water-fowl, or strips of other skin twisted together, formed the required protection against the inclement weather, yet such was their stupendous laziness that sometimes naught protected them from the chilly blast but a thick covering of mud—an inexpensive garment at best. The wardrobe of the women was little more exten-

*Letter of Dr. John Marsh of Contra Costa County, to Hon. Lewis Cass, 1846.

sive, a fringed apron of *tules* falling from the waist before and behind, and open at the sides, being their summer costume, while in the cold season a deer skin was added. Tattooing is said to have been common within narrow limits among the females, and by these marks were the women of different tribes distinguishable.

Nearly as primitive as their costume were their dwellings, which in summer were a protection of branches, and in winter, a wickup. Of these latter Bancroft's "Native Races" says: "These are sometimes erected on the level ground, but more frequently over an excavation three or four feet deep, and varying from ten to thirty feet in diameter. Round the brink of this hole willow poles are sunk upright in the ground and the tops drawn together, forming a conical structure, or the upper ends are bent over and driven into the earth on the opposite side of the pit, thus giving the hut a semi-globular shape. Bushes, or strips of bark, are then piled up against the poles and the whole is covered with a thick layer of earth or mud. In some instances the interstices of the frame are filled by twigs woven crosswise, over and under, between the poles, and the outside covering is of *tule* reeds instead of earth. A hole at the top gives egress to the smoke, and a small opening close to the ground admits the occupants.

"Each hut generally shelters a whole family of relations by blood and marriage, so that the dimensions of the habitation depend on the size of the family."

It strikes us as a curious fact that the natives who roamed around the Bay of San Francisco had no canoes but used bundles of *tules* lashed firmly together, about ten feet long, and pointed at both ends, as a means of navigation. They were tolerably dry in calm weather on a river, but when rough, the paddler, who sat astride of them, was up to his waist in water, still, when needed, they would venture far out to sea on these. Indeed, it is asserted that the Indians of California, previous to the occupation by the Jesuit Fathers, had no other boats than those mentioned above, which were in use even at as late a date as 1840. Says Mr. Bancroft: "The probable cause of the absence of boats in Central California is the scarcity of suitable, favorably located timber. Doubtless if the banks of the Sacramento and the shores of San Francisco Bay had been lined with large straight pine or fir trees, their waters would have been filled with canoes; yet after all, this is but a poor excuse; for not only on the hills and mountains, at a little distance from the water, are forests of fine trees, but quantities of drift-wood come floating down every stream during the rainy season, out of which surely sufficient material could be secured for some sort of boats."

Of their language, but little is left. Here and there a word has fastened itself upon some ranch or town, and will be handed down through a few generations. It was a deep guttural, not unlike that spoken by the natives of southern China, but that there is any philological relation between the two tongues we will not venture to assert, still there is a sufficient resemblance to occupy the mind of the studiously inclined.

A short half-century has sufficed to see this race become so entirely extinct that the sight of an Indian is almost a rarity. And what has done this? Disease was the prime cause, for it is stated that cholera took them off by thousands in 1833, while it is said they died so fast that the living were unable to care for the dead. Whole tribes became extinct, it being reported by a traveler on the Sacramento River that all of

one tribe died within a few days except a little girl. Then came war with its kindred calamities as another great decimator of their ranks. Contact with civilization had also much to do with it. Soon after the whites came among them, prostitution became general; the women no longer bore children, and thus the tribe gradually, but surely, died out, and no little ones grew to take the place of the deceased elders. Truly would it appear to have been a matter of destiny, for it was impossible that the two races could exist in contact.

For disease their great "cure-all" was the sweat-bath, which was taken in the "sweat-house," an institution that was to be found in every *rancheria*. A fire being lighted in the center of the temescal (the term applied to the native sweat-houses by the Franciscan Fathers), the patient is taken within and kept in a high state of perspiration for several hours; he then rushes out and plunges into the convenient stream on the bank of which the structure is always raised—a remedy, whether more potent to kill or to cure, we leave to the decision of the reader.

The following graphic description of the experiences of a gentleman in a temescal, we give to the reader as a truthful and racily told adventure:—

"A sweat-house is of the shape of an inverted bowl, and is generally about forty feet in diameter at the bottom, and is built of strong poles and branches of trees, covered with earth to prevent the escape of heat. There is a small hole near the ground, large enough for Diggers to creep in, one at a time, and another at the top to give out the smoke. When a dance, a large fire is kindled in the center of the edifice, and the crowd assembles, the white spectators crawling in and seating themselves anywhere out of the way. The apertures, both above and below, are then closed, and the dancers take their positions.

"Four and twenty squaws, *en dishabille*, on one side of the fire, and as many hombres, *in juris naturalibus*, on the other. Simultaneously with the commencement of the dancing, which is a kind of shuffling hobble-de-hoy, the 'music' bursts forth. Yes, music fit to raise the dead. A whole legion of devils broke loose. Such screaming, shrieking, yelling, and roaring, was never before heard since the foundation of the world. A thousand cross-cut saws, filed by steam power—a multitude of tom-cats lashed together and flung over a clothes-line—innumerable pigs under a gate—all combined would produce a heavenly melody compared with it. Yet this uproar, deafening as it is, might possibly be endured, but another sense soon comes to be saluted. Talk of the thousand stinks of the 'City of Cologne.' Here are at least forty thousand combined in one grand overwhelming stench, and yet every particular odor distinctly definable. Round about the roaring fire the Indians go capering, jumping, and screaming, with the perspiration streaming from every pore. The spectators look on until the air grows thick and heavy, and a sense of oppressing suffocation overcomes them, when they make a simultaneous rush at the door for self-protection. Judge their astonishment, terror, and dismay to find it fastened securely—bolted and barred on the outside. They rush frantically around the walls in hope to discover some weak point through which they may find egress, but the house seems to have been constructed purposely to frustrate such attempts. More furious than caged lions, they rush boldly against the sides but the stout poles resist every onset. Our army swore terribly in Flanders, but even my uncle Toby himself would stand aghast were he here now.

"There is no alternative but to sit down, in hopes that the troop of naked fiends will soon cease from sheer exhaustion. Vain expectation! The uproar but increases in fury, the fire waxes hotter and hotter, and they seem to be preparing for fresh exhibitions of their powers. The combat deepens. On ye brave! See that wild Indian, a newly-elected captain, as with glaring eyes, blazing face, and complexion like that of a boiled lobster, he tosses his arms wildly aloft as in pursuit of, imaginary devils, while rivers of perspiration roll down his naked frame. Was ever the human body thrown into such contortions before? Another effort of that kind and his whole vertebral column must certainly come down with a crash! Another such convulsion, and his limbs will surely be torn asunder, and the disjointed members fly to the four points of the compass! Can the human frame endure this much longer? The heat is equal to that of a bake-oven; temperature five hundred degrees Fahrenheit! Pressure of steam one thousand pounds to the square inch! The reeking atmosphere has become almost palpable, and the victimized audience are absolutely gasping for life. Millions for a cubic inch of fresh air! Worlds for a drop of fresh water to cool the parched tongue! This is terrible. To meet one's fate among the white caps of the lake, in a swamped canoe, or to sink down on the bald mountain's brow, worn out by famine, fatigue, and exposure, were glorious; but to die here, suffocating in a solution of human perspiration, carbonic acid gas and charcoal smoke, is horrible! The idea is absolutely appalling. But there is no avail. Assistance might as well be sought from a region of unchained imps as from a troop of Indians maddened by excitement.

"Death shows his visage not more than five minutes distant. The fire glimmers away leagues off. The uproar dies in the subdued rumble of a remote cataract, and respiration becomes slower and more labored. The whole system is sinking into utter insensibility, and all hope of relief has departed, when suddenly, with a grand triumphal crash, similar to that with which the ghosts closed their orgies when they doused the lights and started in pursuit of Tam O'Shanter and his old gray mare, the uproar ceases, and the Indians vanish through an aperture opened for that purpose. The half-dead victims to their own curiosity dash through it like an arrow, and in a moment more are drawing in whole bucketfuls of the cold, frosty air, every inhalation of which cuts the lungs like a knife, and thrills the system like an electric shock. They are in time to see the Indians plunge headlong into the ice-cold water of a neighboring stream, and crawl out and sink down on the banks, utterly exhausted. This is the last act of the drama, the grand climax, and the fandango is over."

With the Indians of the Bay of San Francisco, the practice of burning their dead, with everything belonging to them, was universal, while those farther south *buried* theirs. Weird is this scene of incremation. Gathered in a circle around the funeral pyre are the friends and relatives of the deceased, howling in dismal discord; as the flames extend, so increases their enthusiasm, until, in an ecstasy of excitement, they leap, shriek, lacerate their bodies, and go so far as to tear a handful of the burning flesh from off the smouldering body, and devour it. As a badge of mourning they smeared their faces with a compound of the ashes of the dead, and grease, where it was allowed to remain for Time to efface.

As is natural to suppose, the theme which we now leave with the reader is endless, therefore we are unable to follow it out as it should be ; still, a work of the nature which we now offer is hardly the place to look for aught but a short notice of California's aboriginals. Where can such be better found than in the pages of the profound and elaborate work of Mr. Bancroft on the "Native Races of the Pacific States of North America" !



THE EARLY HISTORY AND SETTLEMENT OF ALAMEDA COUNTY.

THE SPANISH—THE MEXICAN—THE AMERICAN PERIODS.

“Let us depart! the universal sun
Confines not to one land his blessed beams,
Nor is man rooted, like a tree, whose seed
The winds on some ungenial soil have cast
There, where it cannot prosper.”

THE history of any county of California follows so sequentially, and is so closely allied with the history of the Pacific Coast in general, and this State in particular, that to commence the chronicling of events from the beginning naturally and properly takes us back to the first discoveries in this portion of the globe, made by the bold old *voyageurs* who left the known world and the charted seas behind them and sailed out into an unknown, untraversed, unmapped, and trackless main, whose mysteries were as great to them as those of that “undiscovered country from whose bourne no traveler returns.”

The Pacific Ocean was given to the world by Vasco Nuñez de Balboa, who looked down from the heights of Panama upon its placid bosom on the 25th day of September, 1513. In 1519 Mexico was conquered by Hernando Cortez, and sixteen years thereafter, in 1537, his pilot, Zimenez, discovered Lower California. In 1542, a voyage of discovery was made along the California coast by the famous Captain Juan Rodriguez Cabrillo, on the 5th of July of which year he landed at Cape St. Lucas, in Lower California, and following the coast he finally entered the delightful harbor of San Diego, in Upper California, September 28th. This place he named San Miguel, which was afterwards changed by Viscaino to that which it now bears. Chief among these travelers, however, so far as the Pacific Coast is concerned, is indisputably Sir Francis Drake. Let it be our duty to see how this great navigator came to these parts and what he did.

Captain Francis Drake sailed from Plymouth, England, on the 13th day of December, A. D. 1577, for the South Sea Islands, having under his command five vessels, in size varying from fifteen to one hundred tons; in the largest, the *Pelican*, afterwards named the *Golden Hind*, he sailed himself, while the number of men in the whole fleet mustered only one hundred and sixty-six all told. On December 25, 1577, he sighted the coast of Barbary, and on the 29th the Cape de Verde Islands; thence sailing across the almost untraveled bosom of the broad Atlantic he made the coast of Brazil on the 5th of April, and entering the Rio de la Plata, parted company with two of his vessels, which, however, he afterwards met, and taking from them their provisions and men, turned them adrift. On May the 29th he entered the port of St. Julian, where he lay for two months taking in stores and refitting; on the 20th of August, he entered the Straits of Magellan; September 25th he passed out of them, having with him only his own ship, and thus handed his name to posterity as

the first Englishman to voyage through that bleak and tempestuous arm of the sea. On the 25th of November he arrived at Macao, which he had appointed as a place of rendezvous in the event of his ships being separated; but Captain Winter, his Vice-admiral, had repassed the straits and returned to England. Drake thence continued his voyage along the coast of Chili and Peru, taking all opportunities of seizing Spanish ships, and attacking them off shore, till his men were satiated with plunder. He now contemplated a return to England, but fearing the storm-lashed shores of Magellan and the possible presence of a Spanish fleet, he determined to search for a northern connection between the two vast oceans similar to that which he knew to exist in the southern extremity of the continent. He, therefore, sailed along the coast, upwards, in search of such a route. When he started the season was yet young, still the historian of the voyage says that on June 3, 1579, in latitude 42°, now the southern line of the State of Oregon, the crew complained bitterly of the cold, while the rigging of the ship was rigidly frozen; and again, in latitude 44°, "their hands were benumbed, and the meat was frozen when it was taken from the fire." With these adversities to contend against, it is no wonder that he resolved to enter the first advantageous anchorage he should find. On June 5th they sailed in shore and brought to in a harbor, which proving unadvantageous through dense fogs and dangerous rocks, he once more put to sea, steering southward for some indentation in the coast line where he would be safe. This they found on June 17, 1579, within 38° of the equator.

There would seem to have been a very different state of weather existing in those days from that prevalent in the same latitudes at the present time, and many attempts have been made to harmonize those statements with what is reasonable. First of all, the statements of this chronicler, although a clergyman, must be taken *cum grano salis*. He was sure that no one could dispute his statements, and he was loth, doubtless, to give this country, which Drake had named "New Albion," and had taken formal possession of in the name of Queen Elizabeth (in perpetual memory of which he erected a pillar and on it fixed a silver plate containing a likeness of Her Majesty, and the date—probably a redwood post with an English crown piece nailed fast to it—as an act of possession), the credit of having a climate that would more than vie with that of "Old Albion" on the other side of the world. Again it will be remembered that the northwest trade-winds which prevail along the coast are fully as searching and cold as the winter winds, and that to a crew of men just from under the scorching heat of a tropical sun it would prove doubly piercing. Again there is a legend among the old Indians along the coast that there was once a year when snow fell in mid-summer. It is just possible, therefore, that such a climatic somersault may have occurred, and the condition of the weather been as described by the Reverend Mr. Fletcher.

Be that as it may, the truth that Drake did effect a landing in a "fair and good" bay stands out boldly and unimpeachably, and to locate the place is now our task.

Authorities differ widely in regard to this matter, and thorough research fails to establish satisfactorily to all, the exact situation of that body of water visited by Sir Francis Drake. From time immemorial it was thought that the sheet of water which laves the western shore of Alameda County—the present Bay of San Francisco—



Thomas A. Smith

must have been the place, and all men of thirty years of age, and older, will remember the statement in the old school history to the effect that the first white men to sail into the Bay of San Francisco were Sir Francis Drake and his crew. Franklin Tuthill, in his "History of California," maintains that ground, and says: "Its (San Francisco Bay) latitude is $37^{\circ} 59'$, to which that given by Drake's chronicler is quite as near as those early navigators, with their comparatively rude instruments, were likely to get. The cliffs about San Francisco are not remarkably white, even if one notable projection inside the gate is named 'Lime Point'; but there are many white mountains, both north and south of it, along the coast, and Drake named the whole land—not his landing place alone—New Albion. They did not go into ecstasies about the harbor—they were not hunting harbors, but fortunes in compact form. Harbors, so precious to the Spaniards, who had commerce in the Pacific to be protected, were of small account to the roving Englishman. But the best possible testimony he could bear as to the harbor's excellence were the thirty-six days he spent in it. The probabilities are, then, that it was in San Francisco Bay that Drake made himself at home. As Columbus, failing to give his name to the continent he discovered, was in some measure set right by the bestowal of his name upon the continent's choicest part, when poetry dealt with the subject, so to Drake, cheated of the honor of naming the finest harbor on the coast, is still left a feeble memorial, in the name of a closely adjoining dent in the coast line. To the English, then, it may be believed belongs the credit of finding San Francisco Bay."

The question which has occupied historians for many years, and which has been asserted by them with didactic force, is that the inlet then visited by Drake is the Bay of San Francisco. This statement of the earlier historiographers was first refuted by the Baron von Humboldt, who maintained that the harbor then visited by Drake was called by the Spaniards "Puerto de Bodega," yet, how it could have borne this name then is hard to realize, seeing that it was not until nearly two centuries thereafter (in 1775) that the port was visited by Lieutenant Juan Francisco de la Bodega y Quadra, who named the place after himself.

But why go searching up and down the coast trying to locate the place either in latitude $37^{\circ} 59'$, or in $38^{\circ} 10'$, when there is a bay which answers all the requirements of the description given of it, located "within 38° towards the line?" In the bay which lies in the curve in the coast under the lee of Point Reyes, and which is marked on the modern maps as Drake's Bay, is to be found that place. The latitude given by the United States Government for the light-house located on the extreme southwestern pitch of Point Reyes is $37^{\circ} 59' 36''$, which corresponds with the figures taken from the log-book of the *Golden Hind*, to within sixteen seconds, which is quite close enough for a calculation made by "those early navigators with their comparatively rude instruments." But is it not reasonable to suppose that a man who had made the sea his profession during the major portion of his life, and was at present sailing where no man had ever sailed before, and who, at that time, had his head full of a project to circumnavigate the world, would be able to take an observation and come within a small fraction of seconds of his exact latitude? It would appear to us to be presuming very much upon his ignorance to think otherwise.

Having established to our own mind, and we hope to the minds of our readers, the

fact that there is a bay in the identical latitude named in Drake's chart as the place where he landed, let us look still further into the matter and see if facts can be adduced to farther substantiate the assertion that this bay fills all the requirements of the one described by Rev. Mr. Fletcher. First of all is an old Indian legend, which comes down through the Nicasios, to the effect that Drake did land at this place. Although they have been an interior tribe ever since the occupation by the Spaniards, and doubtless were at that time, it still stands to reason that they would know all about the matter. If the ship remained in the bay for thirty-six days, it is reasonable to suppose that a knowledge of its presence reached every tribe of Indians within an area of one hundred miles, and that the major portion of them paid a visit to the bay to see the "envoys of the Great Spirit," as they regarded the white seamen. One of these Indians, named Theognis, who is reported to have been one hundred and thirty-five years old when he made the statement, says that Drake presented the Indians with a dog, some young pigs, and seeds of several species of grain. Some biscuit were also given to them, which they planted, believing, in their simple ignorance, that they would spring to life and bear similar bread. The Indians also state that some of Drake's men deserted him here, and, making their way into the country, became amalgamated with the aboriginals to such an extent that all traces of them were lost, except possibly a few names which are to be found among the Indians: "Winnemucca," for instance, is a purely Celtic word, and the name "Nicasio," "Novato," and others are counterparts, with slight variations, of names of places in the island of Cyprus. There is also another tradition, which, if true, would put the matter of Drake's entrance into San Francisco Bay forever at rest, which is to the effect that at the time of his visit to this coast, the Golden Gate was closed with a wall of adamantine rock, and was only opened some years later by a mighty earthquake. It is stated that the waters of the Sacramento and San Joaquin Rivers passed to the ocean through the Pajaro Valley previous to this eruption. There is a bare possibility of this being true, and, if so, the oft-asked question, how could Drake sail so near to the great Golden Gate entrance and not discover it, is readily answered. Of course, all these traditions must be taken for what they are worth, but it does seem that they go to strengthen the idea that Drake landed at Point Reyes.

But there are facts which go to prove the case, other than mere Indian legends. Titus Fay Cronise, in his admirable work, entitled "The Natural Wealth of California," says: "It is clearly settled that the place where he (Drake) landed is near Point de los Reyes. The locality will probably ever be known hereafter as Drake's Bay. The most conclusive argument that could be advanced to prove that he did not discover the Bay of San Francisco is found in the name he gave the country—New Albion. There is nothing about the entrance to this bay to call up images of the 'white cliffs of old England,' so dear to the hearts of the mariners of that country. Its beetling rocks, which must have been additionally dark and dreary at the season of the year when the great navigator saw them—neither green with the verdure of spring, nor russet by the summer's heat; while near Point de los Reyes there is sufficient whiteness about the cliffs which skirt the shore to attract attention, and as it is 'out of the fullness of the heart the mouth speaketh,' the 'bold Briton,' longing for home, may have pictured to his 'mind's eye' some resemblance to old Albion.

Besides, Drake lay thirty-six days at anchor, which it would have been impossible for so experienced a sailor to have done, had it been in our glorious bay, without being impressed with its importance as a harbor, on a coast so destitute of such advantages as this; but he makes no allusion to any feature traceable in our bay. He never had the honor of seeing it." In this connection it may be further stated that the headland forming the point is composed of granite, which may have presented, at that time, a white or greyish color, and this appearance is still perceptible at certain angles of the sun's rays. It is urged that the bay at Point Reyes would afford no shelter from a southeast storm, and hence could not be the "good harbor" spoken of by Drake's chronicler, but it must be remembered that he was there in the month of June, and that at that time of the year all the winds are from the northwest, and no more secure anchorage from winds from that direction can be found along the coast than is to be had under the lee of Punta de los Reyes.

Summed up, then, the matter stands as follows: Favoring the idea that Drake's and San Francisco Bay are one is a general, sweeping statement, based upon no proofs, and only attempted to be sustained by those who dislike to acknowledge that the best harbor along the whole coast line was the last one to be discovered, or who wish to give to England's navigator the honor of the discovery. On the other hand, pointing to what is now known as Drake's Bay as the place, stands, firstly, the indisputable evidence of the log-book and chart made by Drake himself, which locates the place to within sixteen seconds, or within one-fourth of a mile; secondly, the traditions among the people that he met while here; and, thirdly, all that can be said in favor of the Bay of San Francisco can be as justly and truthfully said of Drake's Bay, therefore, it seems reasonable to conclude from the evidence adduced, that to the present Drake's Bay belongs the honor of being the one in which that famous navigator spent his time while ashore in California.

On the 22d of July, after having repaired his ship, and doubtless taken on board a goodly supply of fresh meat and water, Drake set sail for England, going by way of the Cape of Good Hope, and arriving in Plymouth, November 3, 1580, being gone about two years and ten months. He was the first Englishman who circumnavigated the globe, and was the first man who ever made the entire voyage in the same vessel. He was graciously received by the Queen (Elizabeth) and knighted. She also gave orders for the preservation of his ship, the *Golden Hind*, that it might remain a monument to his own and his country's glory. At the end of a century it had to be broken up, owing to decay. Of the sound timber a chair was made, which was presented by Charles II. to the University of Oxford. Sir Francis Drake died on board ship at Nombre de Dios, in the West Indies, January 28, 1595.

But there is a large amount of historical interest attached to this bay aside from the fact that it was the *locale* of Drake's sojourn. In 1595, Sebastian Cermenon, while on a voyage from Manilla to Acapulco, was wrecked near Punta de los Reyes. This was doubtless the first shipwreck which ever occurred on the coast of California. Nothing is known of the fate of the crew, but evidently they, or a portion of them at least, reached Acapulco, or some other Spanish sea-port, and reported the wreck. In 1602, General Sebastian Viscaño, under orders from Philip III. of Spain, made an exploration of the coast of Upper California, in the course of which

he discovered the harbor of San Diego, on the 10th of November. After remaining a few days he proceeded to the north, and on December 16th discovered the Bay of Monterey, which he named in honor of Gaspar de Zuniga, Count de Monte Rey, the then Viceroy of Mexico. It was at first called the Port of Pines. We now come to a very peculiar entry in his diary, or log-book, which is as follows: "In twelve days after leaving Monterey, a favorable wind carried the ship past the *port of San Francisco*, but she afterwards put back into the port of San Francisco." At a first glance this would seem to point to the present bay of that name, and would appear to rob Governor Portala and his band of adventurers of the honor of either discovering or naming the bay; and instead of its being named after the Jesuit patron saint in 1769, it was known by that name more than a century and a half previous. But let us peruse this diary still further. Taking up the thread where it was dropped above, it states: "She anchored, January 7, 1603, behind a point of land called Punta de los Reyes, *where there was a wreck*." This, then, establishes the exact location of the "port of San Francisco" mentioned above, which is the same as that of the present Drake's Bay, and was, doubtless, one and the same, for the wreck which he saw could have been none other than that of the ship lost by Sebastian Cermenon in 1595, "near Punta de los Reyes." But there is still other evidence that Drake's Bay and the "port of San Francisco" are the same. A map was published in Europe in 1545, three years after the voyage of Rodriguez Cabrillo, in which a San Francisco Bay is mentioned, and also the Farralones, which islands were named by Cabrillo after his pilot, Farralo. Now, it is well known that this famous navigator did not enter the the present Bay of San Francisco; therefore, if the Bay of San Francisco and the Farralones are marked on this map as conterminous, it is more than reasonable to conclude that the bay referred to is none other than the present Drake's Bay, which opens out directly towards the Farralones, and it is quite probable that Cabrillo himself gave the name of San Francisco to it. There is also a "Pacific Coast Pilot" extant, written by Admiral José Gonzales Cabrera Bruno, and published in Manilla in 1734, which contains instructions to navigators for reaching the "Punta de los Reyes, and entering the port of San Francisco." This would go to show that the two places were contiguous, and it is more than likely that these "instructions" were compiled from the map mentioned above and similar ones, on all of which the port of San Francisco was marked, "behind a point of land called Punta de los Reyes." It may be further stated that the Russian navigators recognized the "port of San Francisco" to be separate and distinct from the present Bay of San Francisco; for, when, in 1812, Baranoff, chief agent of the Russian-American Fur Company, asked permission from the Governor of California to erect a few houses and leave a few men at Bodega Bay, he designated that place as "a *little north of the port of San Francisco*." The Bay of San Francisco had been visited before that by the Russians and was known to be nearly sixty miles from Bodega Bay; hence, we must conclude that they recognized some place quite near to the latter as the "port of San Francisco," which place could be none other than that laid down in the charts spoken of above, which has been proven conclusively to be the Drake's Bay of to-day.

For some unexplained cause, not much use had been made of the information gained from these trips, which were of frequent occurrence, and it was not for one

hundred and sixty-eight years that any steps towards the permanent settlement of Upper California were undertaken. Under the joint management of Church and State, a plan with this end in view was commenced in the year 1683, but it failed, the State being represented by Admiral Otondo, and the Church by a Jesuit Father named Kino, La Paz being their point of operation ; but we are correct, we believe, in stating that they did not all visit Upper California. The settlement of the peninsula was finally undertaken fourteen years later, when sixteen missionary establishments were founded by Father Salva Tierra. The order which he represented falling into disgrace in Europe, however, was banished from the dominions of Spain and Lower California in 1768, after laboring for seventy years. They were in turn succeeded by the Franciscans and Dominicans, the former of whom, under the guidance of Father Junipero Serra, proceeded to the conquest and conversion of this part of the country. This Reverend Father is recognized by the Roman Catholic Church as the Apostle of Upper California and acknowledged in history as its founder.

To effect this conquest and conversion two expeditions were simultaneously dispatched from Lower California, the one by land, the other by sea. The overland one, under the command of Don Gaspar de Portala, the first Governor of California, reached San Diego on the first of July, 1769, and after a short rest there, resumed its northward march on the 14th of the same month. Two schooners, the *San José* and the *Principe*, had been directed to follow up the coast, and a *rendezvous* appointed at the Bay of Monterey, described by Viscaino as a magnificent port, and which Galvez designed to occupy as the base of his new colony.

After numerous vicissitudes Portala's expedition descending the valley of the Salinas reached its mouth October 1st. Unable on a hasty *reconnaissance* to find the "magnificent port" described by Viscaino, and misled by a fog-bank into the belief of another headland immediately north of Point Año Nuevo (now the extreme southwestern point of San Mateo County), the adventurers continued their journey, and, on the 30th of the month, reached Point Corral de Tierra and camped on the site of the present town of Half Moon Bay. The headland to the west of them, Father Crespi, the chaplain of the expedition, called Point "Guardian Angel," but the more worldly-minded soldiers, from the abundance of mussels found there, gave it the name of Punta de Almeja or Mussel Point.

In attempting to go further up the coast the ascent of the first ridge revealed to the observers of the expedition, far to the north-northwest, Point Reyes, with the Bay of San Francisco under its lee, and the Farrallones to seaward, and confirmed the doubts which had, for the past month, distracted the leaders of the party, whether they had not long since passed by the famous port of Monterey, without finding it. A halt was called and a counter-march decided on. But, preliminary to returning from their unsuccessful search, Sergeant Ortega, with a party of soldiers, was dispatched over the hills to the northeast, to explore and report on the character of the country to be found there. Three days were allowed for this examination, and in the meantime the men were permitted to hunt at discretion through the neighboring hills. On the evening of November 2d some of these hunters returned announcing the discovery of an immense arm of the sea, stretching inland. This was confirmed on the following day by the return of Ortega's party, who announced their glad tidings in advance, by the discharge of musketry, waving of flags, etc.

Animated by this unlooked-for intelligence, Portala broke up his camp on the following day and struck out over the hills to the northeastward. From the summit of these the party looked down on our noble bay, which, in their admiration, they termed another Mediterranean Sea. They turned southward, with the idea of getting round the head of the bay and so reaching Point Reyes and the harbor of San Francisco, lost for one hundred and sixty-seven years. On the evening of November 6th they encamped on the northerly bank of the San Francisquito Creek, not far from where Governor Stanford's house now stands near Menlo Park. Explorers were again sent out, but as these reported that the bay became wide and extended to an unknown distance southeastwardly, alarm at the rashness of their undertaking began to prevail, and they arrested their march. In fact their powers were spent, and it was well they decided to attempt no more; for, to have pursued their journey further, in their exhausted condition, might have resulted in the loss of their whole party. The discoveries they had made it was important to preserve. Their provisions were almost exhausted; several of their number had died, and more than half the remainder were down with scurvy; the native inhabitants showed signs of hostility, and the winter of an unknown region was at hand. A council was again called, and it was voted unanimously to retrace their steps. Governor Portala would indeed still have pushed on, but yielded to the unanimous voice of his companions, and on November 11, 1769, they commenced their homeward march.

All their meat and vegetables had long been consumed, and their ammunition was nearly exhausted. Their allowance of food was reduced to five small *tortillas* a day. These, with shell-fish obtained on the sea-shore, acorns and pine nuts gathered by the way, or furnished by friendly Indians, and an occasional wild goose killed with a stick, furnished the staple of their poor food, as they toiled over their weary homeward march. They reached Point Pinos again on the 27th of November, and notwithstanding their distressed condition remained there till the 9th of December, searching in vain up and down the coast for that famous harbor of Monterey which Viscaño had described in such glowing terms. Point Pinos, indeed, they recognized from its description and the latitude assigned to it; but nothing else could they find corresponding to the description of the bay they were in search of. In despair they at last concluded that the harbor must have been filled up by sand or obliterated by some convulsion of nature. All hope of meeting the schooners from whose stores they might have obtained succor, was abandoned; and on the 9th of December they sadly prepared to renew their toilsome and dreary march towards San Diego.

Before starting they erected on the south side of Point Pinos a large wooden cross, on which was rudely carved the words, "*Dig at the foot of this and you will find a writing;*" and at its foot accordingly they buried a brief account of their journey. Its text, as set forth in Father Crespi's diary, was as follows:—

"The overland expedition which left San Diego on the 14th of July, 1769, under the command of Don Gaspar de Portala, Governor of California, reached the channel of Santa Barbara on the 9th of August, and passed Point Concepcion on the 27th of the same month. It reached the Sierra de Santa Lucia, on September 13th, entered that range of mountains on the 17th, and emerged from them on the 1st of October; on the same day caught sight of Point Pinos and the harbor on its north and

south sides, without discovering any indications of the Bay of Monterey. Determined to push on further in search of it, on the 30th of October we got sight of Point Reyes and the Farralones at the Bay of San Francisco, which are seven in number. The expedition strove to reach Point Reyes but was hindered by an immense arm of the sea which, extending to a great distance inland, compelled them to make an enormous circuit for that purpose. In consequence of this and other difficulties, the greatest being the absolute want of food, the expedition was compelled to turn back, believing that they must have passed the harbor of Monterey without discovering it. Started on return from the Bay of San Francisco, on November 11th, passed Point Año Nuevo on the 19th, and reached this point and harbor of Pinos on the 27th of the same month. From that date until the present 9th of December, we have used every effort to find the Bay of Monterey, searching the coast, notwithstanding its ruggedness, far and wide, but in vain. At last, undeceived and despairing of finding it after so many efforts, sufferings and labors, and having left of all our stock of provisions but fourteen small sacks of flour, we leave this place to-day for San Diego. I beg of Almighty God to guide us; and for you, traveler, who may read this, that he may guide you also to the harbor of eternal salvation.

"Done in this harbor of Pinos, this 9th of December, 1769.

"NOTE.—That Don Michael Constanzo, our engineer, observed the latitude of various places on the coast, and the same are as follows:—

"San Diego, at the camp of the overland expedition, $32^{\circ} 42'$.

"Indian Village, at the east end of the channel of Santa Barbara, $34^{\circ} 13'$.

"Point Concepcion, $34^{\circ} 30'$.

"The southern foot of the Sierra de Santa Lucia, $35^{\circ} 45'$.

"Its northern extremity at this harbor and Point of Pinos, $36^{\circ} 36'$.

"Point Año Nuevo, which has low reefs of rocks, $36^{\circ} 04'.$ *

"The land near the harbor of San Francisco, the Farralones bearing west quarter north, $37^{\circ} 35'$.

"Point Reyes, which we discovered on the west-northwest from the same place, supposed to be $37^{\circ} 44'$.

"If the commanders of the schooners, either the *San José* or the *Príncipe*, should reach this place within a few days after this date, on learning the contents of this writing, and the distressed condition of this expedition, we beseech them to follow the coast down closely towards San Diego, so that if we should be happy enough to catch sight of them, we may be able to apprise them by signals, flags, and firearms of this place in which succor and provisions may reach us.

"Glory be to God," says the pious old chronicler, "the cross was erected on a little hillock close to the beach of the small harbor, on the south side of Pinos, and at its foot we buried the letter." On the other side of the point they erected another cross, and carved on its arms with a razor, the words: "The overland expedition from San Diego returned from this place on the 9th of December, 1769—starving."

Their prayer for succor was, however, in vain; it never reached those to whom it was addressed. The schooners, after beating up to the latitude of Monterey, were compelled to turn back to the Santa Barbara channel, for want of water, and never reached

*Probably an error in transcribing. The other latitudes are very nearly correct.

the coveted port. They ultimately put back to San Diego, which they reached just in season to relieve that colony from starvation. The land expedition meanwhile prosecuted its weary march down the coast, encountering sickness, privation, and occasionally death, until on the 24th of January, 1770, it reached San Diego, whence it had started six months and ten days before.

Father Junipero Serra, who accompanied this expedition, writes from San Diego, under date July 3, 1769, his first impressions of California, as follows:—

"The tract through which we passed is generally good land, with plenty of water; and there, as well as here, the country is neither rocky nor overrun with brushwood. There are, however, many hills, but they are composed of earth. The road has been in some places good, but the greater part bad. About half way the valleys and banks of rivulets began to be delightful; we found vines of a large size, and in some cases quite loaded with grapes; we also found an abundance of roses, which appeared to be like those of Castile. In fine, it is a good country, and very different from Old California.

"We have seen Indians in immense numbers, and all those on this 'coast' of the Pacific, contrive to make a good subsistence on various seeds and by fishing. The latter they carry on by means of rafts or canoes made of tule (bull-rushes), with which they go a great way to sea. They are very civil. All the males, old and young, go naked; the women, however, and the female children, are decently covered from their breasts downwards. We found on our journey, as well as in the place where we stopped, that they treated us with as much confidence and good-will as if they had known us all their lives. But when we offered them any of our victuals, they always refused them. All they cared for was cloth, and only for something of this sort would they exchange their fish or whatever else they had. During the whole march we found hares, rabbits, some deer, and a multitude of *berendos*, a kind of wild goat."

His earliest recollections of the country he never forgot—they lasted to the end of his days. He returned to Mexico and was subsequently preferred to the high position of president of the missions of California. In or about 1783–84, feeling that old age was fast overtaking him, as well as to have some spare time from his arduous labors, he determined to visit some of the missions established in Upper California, to hold his last confirmations, and, having been invited to dedicate the Mission of Santa Clara, also to perform that ceremony. About the first of May he visited the selected spot, and on the 4th continued his weary journey to San Francisco, accompanied by that devoted fellow-countryman Father Palou, a brother Franciscan monk, a co-voyager to these shores, and afterwards his biographer, preferring to make his confirmations on his return. He had tarried in San Francisco but a few days when the distressing news of the illness of Father Murguia was received; he thereupon dispatched Father Palou to Santa Clara, who found Murguia sick of a low fever. Unhappily this worthy man never rallied, and on May 11, 1784, his soul took its flight, while naught was left to his followers but the consolation that

"Death's but a path that must be trod,
If man would ever pass to God."

The funeral took place, but the venerable Junipero was too enfeebled to attend; he, however, accompanied Don Pedro Fages, the Governor of the territory, to the dedicatory services of the mission, arriving on the 15th. On the meeting of the two



Wm. W. Mendenhall

fathers their hearts were too full to speak; with eyes suffused in tears, they grasped each others hands, and finally in a solemn embrace, each sent aloft a prayer to Him who had seen fit in His wisdom to take away their revered brother.

Of the life and death of Junipero Serra, much has been written; for the information of the reader, however, let us refer him to the subjoined paper which appeared in the San Francisco *Chronicle*, over the caption "N. V. S."

MONTEREY, February 4, 1882.

In the hasty, anxious life which most Americans lead, it is generally supposed that there is little room or even desire for that pursuit to which so many residents of the Old World devote their lives, and that not from the hope of reward, but from pure love of it. I refer to the love of antiquities—that searching into the memories of the past which seems to have so powerful a charm for some minds. It is difficult to divine a reason for this, unless it be that the sight of relics of a former time excites the imagination to a train of thought so agreeably romantic that we are impelled again and again to seek the excitant, as the opium-eater returns to his drug. At any rate, the feeling exists and is latent in American breasts, only we have nothing for it to feed upon. I say *nothing*, but to-night I remembered that we have something when my eyes were attracted by the brilliant moonlight of Monterey striking full upon the white cross which marks the place where Father Junipero Serra first landed. The memory of a good man, who gave the labor of a long life solely to improve the state of his fellows, certainly is sufficient to give to the finding of his bones a deep interest. Father Casanova, the present pastor of Monterey, is full of gratification with the result of his researches, and has kindly given some of the details of the discoveries.

The ancient records of the old Carmel Church were brought forth for our wondering eyes to gaze upon. They are, of course, yellow with age, and filled partly with the handwriting of Junipero himself, his signature standing out firm and clear, as if written but yesterday. These records contain quite an extended account of his death and burial, together with a description of the exact spot of interment. By means of this description Father Casanova was enabled to locate the grave of Junipero beyond a doubt, and thus made his recent discovery. The following is the passage referred to as translated:—

Very Rev. Father Junipero Serra, D. D., President of all the missions, died on the 29th of August, 1784, at the age of seventy-one years, and is buried in the sanctuary, fronting the altar of Our Lady of Seven Dolors, on the Gospel side.

There remained nothing but to face the altar of "Our Lady of Seven Dolors" in the sanctuary, and then commence digging next the altar on the Gospel side. That is what the workmen did, and their spades soon struck upon the stones covering the grave. Father Casanova produced a diagram illustrating the manner of formation of the grave and the condition in which it was found. Originally the floor of the church was composed of brick tiles. Tourists visiting the church admire these tiles so greatly that they even go to the trouble to dig them up, break them to pieces and carry away bits of them. In this connection he also stated that one visitor even went so far as to take his penknife and cut from the canvas a bouquet which was carried in the hand of a saint in one of the old paintings. This picture was much valued for its age and the association connected with it by the padre and the parish; but such consid-

erations are as nothing to the hard heart of one in whom the love of antiquities has taken such an evil turn.

As was said before, the floor of the church was composed of tiles. The graves were apparently constructed with great care, being plastered and hard-finished inside as neatly as the walls of a house. The coffin was lowered into this plastered opening, and then large slabs of stone were fitted carefully over it, in such a manner that they were exactly level with the tiles forming the floor of the church. The tiles had gradually become covered with a layer of *débris*, which it was the first task of the workmen to remove. Upon reaching the slabs of stone covering the grave of Father Junipero it was found that the three covering the upper part of the grave were intact, but that those over the lower part had for some reason given way, so that about one-half of the coffin had been exposed to decay. The skull and ribs were found within, however, excellently well preserved, considering the time that they have lain there. Clinging to the ribs were found considerable portions of the stole of violet silk, and its trimming of silver fringe, both blackened and crumbling with age. Upon being asked if he intends to pursue his investigations further, the padre replied that he will certainly do so. In fact he has already reached the graves of two other priests, and also of two of the old Mexican Governors of California, who were buried, it seems, in the same part of the church, but on the opposite side of the altar. In the discovery of these he again went by the records, which pointed them out quite accurately.

The padre says he intends to continue this search for these hallowed graves until he uncovers the whole of them, both of the mission fathers and of the Mexican governors. As a large number are buried there, and as the work is prosecuted with care, it will probably be some time before a completion is reached. It is then the padre's intention to have them properly replaced in the graves, the slabs of stone carefully arranged as they were originally, those wanting restored, and then to have each grave marked, so that in future they may be pointed out to visitors, with some account of the occupant of each. The padre gave no hint of any such wish, but the thought crossed the mind of the correspondent that it would show good taste and feeling in the many wealthy Catholics, who are doubtless to be found in California, if they would unite in the erection of a monument over the remains, worthy of the pioneer of their religion in California. The people of Monterey would gladly do this, but no doubt the lack of means prevents it. Junipero Serra was the founder of every mission in California—twenty-one in all. His history, briefly recounted by his friend and fellow-student, Francisco Palou, in language, whose very simplicity bears witness to its veracity, is such an one that every heart capable of appreciation of the unselfish and noble in character must be filled with the deepest admiration by it. Protestants as well as Catholics must give honor to a man to whom it is so unmistakably due. According to a Catholic custom, a record of all deaths in Monterey and the Carmel Mission was kept by Junipero himself from the year 1770 up to the time of his death, in 1784. Each was written in a strong, bold hand, with the signature "Fr. Junipero Serra" at the end. Upon his death this record was continued by his successors. He made his last entry on the 30th of July. On the 29th of August Fr. Francisco Palou entered upon the record the fact of his death, the narrative of his life and circumstances of his death.

According to this account Serra was born in the Province of Majorca, in Old Spain. He was a man of thorough education and unusual accomplishments. Before coming to California he had enjoyed the honors of high position both in Spain and Mexico. When only a little over nineteen years of age, he put on the dress of the Order of San Francisco. He was a graduate of the schools of theology and philosophy, and was given the professorship of each in a royal university. These positions he filled in the most highly honorable manner. At this time he was in the receipt of large revenues and had good prospects for advancement to almost any position to which he might care to aspire. But worldly ambition of this kind had no place in his soul. Brilliant prospects, a life of luxury, associations which were doubtless pleasant to a man of his culture—all this he chose to leave behind him for the purpose of entering upon a life of danger, toil, and privation, for which he could only expect a reward after death. Perhaps even the hope of *that* reward influenced him less than the simple consciousness of duty. His first step was to resign his professorship. He then joined the College of Foreign Missions in Cadiz, probably because there he could obtain the most authentic information for the purpose which he had in view. In 1749 he embarked at Cadiz for Mexico. The voyage occupied the tedious period of nearly a year—long enough to have cooled the zeal of a less earnest man. He arrived in Mexico, January 1, 1750, with interest in his work unabated. At that time there were many missionary societies in Mexico, and Junipero was sent by them to prosecute the work in various directions, in each case exhibiting the same wonderful earnestness and peculiar adaptation to such a life. It was probably to this power which he possessed of throwing his whole soul into his labors that his success was mainly due. In Mexico he gained the friendship and close confidence of the Viceroy, and took position among the highest in the Church.

In 1767 he was appointed by the General of the Catholic establishments in New Spain to the presidency of the fifteen missions in Lower California, then under management of the Jesuits. He crossed the gulf and made his headquarters at Loreto. From that place he was constantly going out upon visits to the other missions, inspiring each with his own zeal. But even then he did not think his life sufficiently occupied nor his duty accomplished. He was constantly tormented by thoughts of the thousands of unfortunate creatures still in a savage state whom he knew to inhabit the great unknown region extending to the north. He had the true pioneer spirit forever urging him on, and he soon formed the resolution to embark for what was then a distant land. Not much was then known of California, but Serra had seen charts describing the Bays of San Diego and Monterey. In 1769 he left Loreto in company with an exploring party going north in search of these two points. He stopped on the way at a point on the coast near the frontier of Lower California, and founded the Mission of San Fernando de Bellicota. The next stopping-place was the port of San Diego, where he remained long enough to found the mission. During his stay at this place the exploring party went on, but returned the next year, having failed to discover the Bay of Monterey. In 1770 Serra again set out to find this bay, sending a party by land at the same time. As usual with most of his undertakings, the search was successful. Having landed at the spot so often mentioned in the descriptions of Monterey, and having taken formal possession of the country in the

name of the King of Spain, Serra began the working out of the plan so long in his mind.

He first founded the Mission of San Carlos de Monterey, which always remained the central point of his operations. With this as his headquarters, he went out from time to time into various parts of the country, and one by one established and encouraged into a flourishing condition all the other missions of California. As before stated, they were twenty-one in all. Taking into consideration the very small number of white men who assisted him in these labors, the rapidity of his success was something remarkable. There is no doubt that it is to be ascribed to the kindness, gentleness, and ever-enduring patience which he invariably exhibited toward the Indians. In the construction of the churches, for instance, upon which we look with so much astonishment when told that they were built by the traditionally lazy Indian, it is very likely that he employed large numbers upon the work, in order that it should not bear too heavily upon individuals. He certainly employed methods of great wisdom in the management of these ignorant creatures, and could he have been endowed with a miraculous life of several hundred years, might well have given the lie to the oft-repeated complaints of Americans, that it is impossible to civilize the Indians. But it is too late now for us to study his methods. Only a handful of Indians remain to meet yearly on the day of San Carlos and raise their quavering chant over the grave of Junipero. As a natural result of his treatment of them, the Indians came to look upon Serra almost with adoration. They loved him for his gentleness, they respected him for his firmness, and they admired him for his ability. But every life, however valuable, must finally draw to a close, and in August, 1784, Junipero felt that his end was approaching. On the morning of the 27th, being very ill, he began to prepare for death.

He first confessed himself to his friend, Francisco Palou, and went through the ceremonies of the dying. Then, ill and suffering as he was, he went on foot to the church to receive the sacrament. The building was crowded with both whites and Indians, drawn thither by a common grief. At the beginning of the ceremony the hymn "*Tantum Ergo*" was sung, and according to the record Junipero himself joined in the singing with a "high, strong voice." We can easily realize that the congregation became so much affected upon hearing him sing his own death chant that they were unable to sing more, and, choking with emotion, sat listening, while the dying man's voice finished it alone. He then received the sacrament upon his knees, and recited thanks, according to the ritual, in a distinct voice. This ceremony over he returned to his cell, but did not lie down nor take off any of his clothing. In the night he asked Palou to administer holy unction to him and join with him in the recital of the penitential psalms and litanies. The remainder of the night he passed in giving thanks to God, sometimes kneeling and sometimes sitting upon the floor. Early the next morning he asked Palou to give him plenary indulgence, and once more confessed himself. Shortly afterwards the Captain and the Chaplain of a Spanish vessel which was then in the harbor came in. Serra received them in his usual manner when in health, cordially, and embracing the Chaplain with warmth, he thanked God that these visitors from afar, who had traversed so much of land and sea, had come in time to throw a little dirt on his body. Conversing with Palou, he expressed some anxiety and asked him to read the recommendation of the soul.

He then said that he felt comforted, and thanked God that he had no fear. After a time he asked for a little broth, and was supported into the kitchen, where he sat down and drank a little. He was assisted to his bed, and no sooner touched it then he fell back in death. Having been for some time expecting his end, he had ordered his own coffin to be made by the carpenter of the mission. This was now brought out, and the body placed in it without changing the clothing. It was then carried to the church to await burial. The church bell notified the people of the event, and all gathered within for a last look at the dead face of their beloved friend and benefactor. They gathered closely around the coffin and attempted to secure pieces of his clothing to preserve as sacred relics. They were with difficulty prevented from doing this by the promise that a certain tunic, which he had been in the habit of wearing in life, should be divided among them. A guard was placed over the body, but notwithstanding the close watch which was kept, some part of the vestment was taken away in the night. The funeral ceremonies were conducted with great state, people coming from every direction to take part in it. The solemn tolling of the church bells and the firing of salutes by the vessel in the harbor, added to the impressiveness of the occasion. Such is the account of the life, death, and burial of Junipero Serra, as written in the records by his friend Francisco Palou, without comment or exaggeration. And now those bones, so solemnly laid to rest on that day, are once more brought forth to the light in order that the memory of such a character may not be entirely forgotten.

While dealing with the march of Captain Juan Bautista, of the Portala party, from Monterey, when seeking for San Francisco, Father Palou, California's first historian, makes mention of the region in which Alameda County is now located, in these words: "*In the valley of San José*, the party coming up by land, saw some animals which they took for cattle, though they could not imagine where they came from; and, supposing they were wild and would scatter the tame ones they were driving, the soldiers made after them and succeeded in killing three, which were so large that a mule could with difficulty carry one, being of the size of an ox, and with horns like those of a deer, but so long that their tips were eight feet apart. This was their first view of the elk. The soldiers made the observation that they could not run against the wind by reason of their monstrous antlers."

It is but reasonable to suppose that the valley called San José by Father Palou is that portion of our county situated at its southern end, and where was subsequently erected the mission bearing that name. It is not likely that the Santa Clara Valley was meant, for that district was then called San Bernardino, and the Pueblo of San José was not established until November 29, 1777, while the holy father speaks of the year 1773; besides we know that a portion of Murray Township is still known as El Valle de San José, and the gentle slope in what is now the district of Washington Corners, the Mission and Harrisburg is not unfrequently designated the San José Valley. Palou goes on to remark that "after the presidio and before the mission was established (in San Francisco) an exploration of the interior was organized, as usual, by sea (the bay) and land. Point San Pablo was given as the rendezvous, but the Captain of the presidio (Moraga), who undertook in person to lead the land party, failed to appear there, having, with a desire to shorten the distance, entered a cañon

somewhere near the head of the bay, which took him over to the San Joaquin River. So he discovered that stream." Thus it is plain that one party had proceeded down the San Mateo side of the bay, crossed over to its eastern shore, where, coming to the spot where now stands the hamlet of Niles, and, following the rocky banks of the Alameda Creek, ultimately came into the Livermore Valley, crossing which they emerged into the wide expanse of territory through which flows the San Joaquin, which Moraga named in honor of his brother.

Let us now turn to another portion of the history of this section of the State anterior to the establishment of the Mission San José, and which treats us to the first official prominence of our county.

During the Gubernatorial *régime* of Don Felipe de Neve, which commenced in December, 1774, and closed September, 1782, reports on the topography, character, and condition of Upper California, and what situations were most suitable for establishments, were frequently made to His Most Catholic Majesty, the King of Spain, through the Viceroy in Mexico. The country from north to south, from San Diego to San Francisco, then the Dan and Beersheba of our State, was carefully examined and permission sought to locate two pueblos or towns, viz.: That tract of land, now Los Angeles, which lies contiguous to the river La Portincula, one hundred and twenty-six miles from San Diego, and six from the Mission of San Gabriel, and also that tract on the margin of the river Guadalupe, seventy-eight miles from the Presidio of Monterey, forty-eight from that of San Francisco, and two miles and a quarter from the Mission of Santa Clara. The Pueblo of San José became subject to annual inundations, and, after protracted delays (during the administration of Don Diego de Borica between the years 1794, and 1800), the village was moved to higher ground, in 1797. To effect this relief, as well as to establish another pueblo, to be called Branciforte, Borica dispatched Don Pedro de Allerni, with instructions to examine the country and report to him those sites that he thought most convenient for the purpose. This he duly transmitted, as follows:—

"Having examined the points set forth in the foregoing Superior Official Communication, as well as those requiring me to set forth all that I might think necessary, I might reply as follows: The principal object and view of the whole matter may be reduced to the project formed by Don José Maria Beltram, and forwarded by the Royal Tribunal de Mentas to the Most Excellent Viceroy, in relation to the establishing of a villa, or poblacion; and its being necessary to remember that in order to attain the desired end an eye must be had to such favorable circumstances as are required to give the inhabitants of the same the necessary advantages, such as a plentiful supply of water, wood, irrigable and arable lands, forest, pastures, stone, lime or earth for adobes; and having been commissioned to this end for the examination, which I made with the Señor Governor, Don Diego Borica, of the country, from the Mission of Santa Cruz, Arroyo del Pajaro, and the Mission of Santa Clara, to THE PLACE OF THE ALAMEDA, and the country around the Presidio and the Fort of San Francisco, and the mission of the same name. After a careful and scrupulous examination of these places with the Engineer Extraordinary, Don Alberto de Cardoba, I found that THE PLACE OF THE ALAMEDA, although it contains a creek, still that it affords but little water, and that the channel is so deep* that it is difficult to obtain

*Don Alberni must here refer to the precipitous banks of the stream, and not to the depth of its water.

water therefrom for irrigating the extensive plains of what appears to be good lands; but as the place is without fuel, timber, and pasturage, which cannot be obtained save at the distance of many leagues, it is clear that it is unsuitable for the project under consideration."

We have not the faintest hesitation in claiming "the place of the Alameda" as the Alameda Creek of to-day, for its wooded banks when first seen by these explorers might easily have led them to suppose it an avenue or grove of graceful willows and silver-barked sycamores. But how it was that he found no water for irrigating purposes, no wood, and no site for a village, is to us incomprehensible, when it is considered that now there is enough water the year round for both agricultural and pastoral purposes. The present sites of Alameda and Oakland were densely covered with fine old oaks, the giant redwoods reared their tall heads to the sky in the hills near where now East Oakland stands, while since that time no less than four prosperous villages have risen on the river's banks, viz.: Alvarado, Centreville, Niles, and Suñol.

In following the chronological order of events, it now becomes our duty to notice the founding of the Mission de San José, aptly termed "the cradle of Alameda County." While Diego de Borica was yet Governor of Upper California, on June 11, 1797, this grand old relic was established on as fair a site as is to be found under the blue canopy of heaven, and how, and by whom, the following statement, to be found in one of the huge calf-bound Spanish tomes in which were entered with the most scrupulous care and neatness the births, marriages, and deaths and the general spiritual and temporal welfare of the community under its jurisdiction, will explain:—

"The Mission San José was founded at the expense of the Catholic King of Spain, Charles IV.—God save him—and by order of the Marquis of Branciforte, Viceroy and General Governor of N. S. The San José Mission commenced on Sunday, 11th of June, 1797, the feast of the Most Holy Trinity. I, the undersigned, President of these Missions of New California, placed by His Majesty under the care of the apostolical college of the *propaganda fide* of St. Fernando de Mexico, blessed water, the place, and a big cross, and with great veneration we hoisted it. Immediately after we sang the litanies of the Saints, and I celebrated the holy sacrifice of the mass and preached to the army and to the native Indians who were there, and we ended the ceremony singing solemnly the *Te Deum*. At the same time I appointed for the first missionaries Rev. Fr. Ysidoro Barcenilla and Rev. Friar Augustine Merino, A. M. [Signed] FRIAR FRANCISCO LAMEN."

Thus was the Mission San José established, ten miles to the north of the pueblo of that name and forty to the east of San Francisco; on a plateau indenting the Contra Costa Hills and facing the southern extremity of the Bay of San Francisco. Behind it were the beautiful Calaveras and Suñol Valleys; Mission Peak rose immediately in its rear like a giant sentinel indexing its location; while, in its vicinity, nature had abundantly supplied every want. Here was a pellucid stream of sweetest water perennially running from never-failing springs; here, too, were the paramount advantages of climate; wood was abundant for building purposes and for fuel; killing frosts were unknown; an embarcadero was not far distant, and within an hour's walk were warm springs, possessed of the most effective healing qualities. What more was needed? From this point of vantage a view of unsurpassed loveliness lay before

them—a vast level plain promising the rarest fertility. At their feet was the wide expanse of the glorious bay, and to the right and left the splendid chains of the Contra Costa and the Coast Range. The first building erected was a chapel, a small adobe edifice which was enlarged by seven varas in the second year of its existence. A wall forty-seven varas long, four high and six wide, thatched with tules, was constructed, water flumes laid, and, being in the presidial jurisdiction of San Francisco, soldiers were sent from there to keep guard over it, and bring the natives in for purposes of education.

In the establishment of missions the three agencies brought to bear were the military, the civil, and the religious, being each represented by the *Presidio*, or garrison; the *Pueblo*, the town or civic community; and the *Mission*, the church, which played the most prominent part. Says one writer: "The Spaniards had then, what we are lacking to-day—a complete municipal system. Theirs was derived from the Romans. Under the civil Roman law, and the Gothic, Spanish and Mexican laws, municipal communities were never incorporated into artificial powers, with a common seal and perpetual succession, as with us under English and American laws; consequently, under the former, communities in towns held their lands in common; when thirty families had located on a spot, the pueblo or town was a fact. They were not incorporated, because the law did not make it a necessity, a general law or custom having established the system. The right to organize a local government, by the election of an *Alcalde* or Mayor, and a Town Council, which was known as an *ayuntamiento*, was patent. The instant the *poblacion* was formed, it became thereby entitled to four leagues of land and the *pobladores*, citizens, held it in *pro indivisa*. The title was a natural right.

"The missions were designed for the civilization and conversion of the Indians. The latter were instructed in the mysteries of religion (so far as they could comprehend them) and the arts of peace. Instruction of the savage in agriculture and manufactures, as well as in prayers and elementary education, was the padre's business. The soldiers protected them from the hostility of the intractable natives, hunted down the latter and brought them within the confines of the mission to labor and salvation."

In his able history of the Catholic Church in California, Father Gleeson tells us that the missions were usually quadrilateral buildings, two stories high, inclosing a court-yard ornamented with fountains and trees, the whole consisting of the church, father's apartments, store-houses, barracks, etc. The quadrilateral sides were each about six hundred feet in length, one of which was partly occupied by the church. Within the quadrangle and corresponding with the second story was a gallery running round the entire structure and opening upon the work-shops, store-rooms, and other apartments.

The entire management of each establishment was under the care of two Religious; the elder attended to the interior and the younger to the exterior administration. One portion of the building, which was called the monastery, was inhabited by the young Indian girls. There, under the care of approved matrons, they were carefully trained and instructed in those branches necessary for their condition in life. They were not permitted to leave till of an age to be married, and this with



Henry Vrooman.

the view of preserving their morality. In the schools those who exhibited more talent than their companions were taught vocal and instrumental music, the latter consisting of the flute, horn, and violin. In the mechanical departments, too, the most apt were promoted to the position of foremen. The better to preserve the morals of all, none of the whites, except those absolutely necessary, were employed at the mission.

The daily routine at each establishment was about the same as that followed by the Jesuits in Lower California. At sunrise they arose and proceeded to church, where, after morning prayer, they assisted at the holy sacrifice of the mass. Breakfast next followed, when they proceeded to their respective employments. Toward noon they returned to the mission and spent the time from then till two o'clock between dinner and repose; after which they again repaired to their work and remained engaged till the evening angelus, about an hour before sundown. All then betook themselves to the church for evening devotions, which consisted of the ordinary family prayers and the rosary, except on special occasions, when other devotional exercises were added. After supper, which immediately followed, they amused themselves in divers sports, games, and dancing, till the hour for repose. Their diet, of which the poor of any country might be justly envious, consisted of an abundance of excellent beef and mutton, with vegetables in the season. Wheaten cakes and puddings, or porridges, called "atole and pinole," also formed a portion of the repast. The dress was, for the males, linen shirts, pants, and a blanket to be used as an overcoat. The women received each, annually, two undergarments, a gown, and a blanket. In years of plenty, after the missions became rich, the fathers distributed all the surplus moneys among them in clothing and trinkets. Such was the general character of the early missions established in Upper California.

Let us now briefly consider what was the character and condition of the Indian on the arrival of the Spanish fathers. For veracity's sake we must aver that the Californian Indian was anything but an easy subject for civilization. Knowledge he had none; his religion or morals were of the crudest form, while all in all he was the most degraded of mortals. He lived without labor and existed for naught save his ease and his pleasure. In physique he was unprepossessing; being possessed of much endurance and strength; his features were unattractive, his hair in texture like the mane of a horse, and his complexion as dark as the Ethiop's skin. His chief delight was the satisfying of his appetite and lust, while he lacked courage enough to be warlike and was devoid of that spirit of independence usually the principal characteristic of his race. The best portion of his life was passed in sleeping and dancing, while in the temperate California climate, the fertile valleys and hill-sides grew an abundance of edible seeds and wild fruits, which were garnered and by them held in great store. Such means of existence being so easily obtained is perhaps a reason for the wonderful disinclination of Indians to perform any kind of labor. Indeed, what need was there that they should toil, when a beneficent Nature had, with a generosity that knew no stint, placed within their grasp an unlimited supply of health-giving food!

As we have said, the aboriginal Californian's life was a roving one, for they had no fixed habitation, but roamed about from place to place, fishing, hunting, and gathering

supplies. In every stream were fish, and on every mountain-side and valley, game; acorns and pine-nuts, roots and wild oats, were included in the category of their edibles, while, it is said, their tastes precluded them not from feasting upon vermin. Their dialects were as various as those of China to-day, and the natives of San Diego could not understand those of Los Angeles or Monterey.

These Indians had as dwellings the meanest of huts, built of willows and thatched with tules, or rushes. They were fashioned by taking a few poles and placing them in a circle, which were woven together to a conical point, giving them, when completed, the appearance of inverted baskets. They were small and easily warmed in winter, and, when swarming with vermin, could readily be reduced to ashes and others built in their stead. Their cabins or "wickeups" were usually constructed on the banks of streams, or in the dells of mountains, but always near some running water-course. There, without a vestige of covering, they slept like "sardines in a tin," those on the outer edge quarreling, as in more civilized circles, for an inside place. On rising from their litters, be it summer or winter, the first performance would be to plunge into the river; after which they would dance and play around a huge fire, when, with a healthy appetite, they would relish a hearty meal. This was their custom in the cold mountain regions as well as in the more temperate valleys. The skins of beasts made them a covering comfortable enough, but the males generally wore absolutely nothing upon their persons save an arrow passed through the hair—something like the mode of hair ornament in vogue with many fashionable *belles*. One of these warriors, thus clad, on one occasion paid General Vallejo a visit at Sonoma. As the day was cold the General asked his guest if he was not cold. "No," was the answer, "is your face cold?" "Not at all," replied the veteran Commandante, "I never wear anything on my face." "Then," rejoined the Indian, triumphantly pointing to his body, "I am all face!" The toilet of the women, as in other parts of the world, was more pretentious. It consisted of a scanty apron of fancy skins or feathers extending to the knees. Those of them who were unmarried wore, in addition, a bracelet around the arm near the shoulder, or a band around the ankle, which was generally made of bone or fancy wood. Polygamy was a recognized institution. Chiefs generally possessed eleven wives, sub-chiefs nine, and ordinary individuals two or more, according to their wealth or property. Indian like they would fight among themselves, and bloody fights these often were. Their weapons were bows and arrows, clubs and spears, with which they were very adroit. Their head-dress was a helmet composed of skins. They were remarkable athletes and unexcelled as swimmers and runners. In times of peace they kept up their martial spirit, little though it was, by sham fights and tournaments, their women participating in their battles, not as actual belligerents, but as a sanitary brigade they followed their warriors and supplied them with provisions and attended them when wounded, carrying their papposes on their backs at the same time.

Four times a year each tribe united in a great dance, having some religious purpose and signification. One of these was held in Napa County in 1841, about the time of the vernal equinox, and was terminated by a strange, inexplicable pantomime, accompanied with wild gestures and screams, the object of which the Indians said was "to scare the devil away from the rancherias." An old gentle-

man who witnessed the performance says he has no doubt that their object must have been attained, if the devil had the slightest ear for music. Superstition wrapped these savages like a cloud, from which they never emerged. The phenomena of nature on every hand, indeed, taught them that there was some unseen cause for all things—some power which they could neither comprehend nor resist. The volcano and the earthquake taught them this, and many accounts of these in past ages are preserved in their traditions, but farther than this their minds could not penetrate.

It will readily be acknowledged that to catch, subdue, and educate a race like this was a task of no mean difficulty, while to perfect it, even remotely, demanded all the elements of success. It was necessary to commingle both force and persuasion. The former was represented by the soldiers at the presidio, and the latter by the fathers at the mission. To keep them together was a task which required the most perfect skill, in short, nothing but the attractiveness of new objects and strange ways, with the pleasant accessories of good diet and kind conduct, could have ever kept these roaming spirits, even for a time, from straying to their original haunts.

What was the state of the missions in the early part of the present century? We shall see. In the year 1767 the property possessed by the Jesuits, then known as the Pious Fund, was taken charge of by the Government, and used for the benefit of the missions. At that time this possession yielded an annual revenue of fifty thousand dollars, twenty-four thousand of which were expended in the stipends of the Franciscan and Dominican Missionaries, and the balance for the maintenance of the missions generally. Father Gleeson says: "The first inroad made on these pious donations was about the year 1805, when to relieve the natural wants of the parent country, caused by the wars of 1801 and 1804, between Portugal in the one instance and Great Britain in the other, His Majesty's fiscal at Mexico scrupled not to confiscate and remit to the authorities in Spain, as much as two hundred thousand dollars of the Pious Fund." By this means the missions were deprived of most substantial aid, and the fathers left upon their own resources; add to these difficulties the unsettled state of the country between the years 1811 and 1831, and still their work of civilization was never stayed.

To demonstrate this we reproduce the following tabular statement, which will at a glance show the state of the missions of Upper California from 1802 to 1822:—

TABLE SHOWING THE NUMBER OF INDIANS BAPTIZED, MARRIED, DIED, AND EXISTING AT THE DIFFERENT MISSIONS OF UPPER CALIFORNIA, BETWEEN THE YEARS 1802 TO 1822.

NAME OF MISSION.	Baptized.	Married.	Died.	Existing.	NAME OF MISSION.	Baptized.	Married.	Died.	Existing.
San Diego.....	5,452	1,460	3,186	1,696	San Miguel.....	2,205	632	1,336	926
San Luis Rey.....	4,024	922	1,507	2,663	San Antonio de Padua..	4,119	1,037	317	834
San Juan Capistrano....	3,879	1,026	2,531	1,052	Our Lady of Soledad....	1,932	584	1,333	532
Santa Catarina.....	6,906	1,638	4,635	1,593	San Carlos.....	3,267	912	2,432	341
San Fernando.....	2,519	709	1,505	1,001	San Juan Bautista.....	3,270	823	1,853	1,222
	3,608	973	2,608	973	Santa Cruz.....	2,136	718	1,541	499
Santa Barbara.....	4,917	1,288	3,224	1,010	Santa Clara.....	7,324	2,056	6,565	1,394
	1,195	330	896	582	San José.....	4,573	1,376	2,933	1,620
Purissima Concepcion....	3,100	919	2,173	764	San Francisco.....	6,804	2,050	5,202	958
San Luis Obispo.....	2,562	715	1,954	467	San Rafael.....	829	244	183	830

It will thus be observed by the foregoing, that out of the seventy-four thousand, six hundred and twenty-one converts received into the missions the large number of forty-seven thousand, nine hundred and twenty-five had succumbed to disease. Of what nature was this plague it is hard to establish; the missionaries themselves could assign no cause. Syphilis, measles, and small-pox carried off numbers, and these diseases were generated, in all probability, by a sudden change in their lives from a free, wandering existence, to a state of settled quietude.

Father Gleeson, in his valuable work says: "In 1813, when the contest for national independence was being waged on Mexican territory, the cortes of Spain resolved upon dispensing with the services of the fathers, by placing the missions in the hands of the secular clergy. The professed object of this secularization scheme was, indeed, the welfare of the Indians and colonists; but how little this accorded with the real intentions of the Government, is seen from the seventh section of the decree passed by the cortes, wherein it is stated that one-half of the land was to be hypothecated for the payment of the national debt. The decree ordering this commences as follows: 'The cortes general and extraordinary, considering that the reduction of common land to private property is one of the measures most imperiously demanded for the welfare of the pueblos, and the improvement of agriculture and industry, and wishing at the same time to derive from this class of land *aid to relieve the public necessities*, a reward to the worthy defenders of the country and relief to the citizens not proprietors, decree, etc., without prejudice to the foregoing provisions, one-half of the vacant land and lands belonging to the royal patrimony of the monarchy, except the suburbs of the pueblos, is hereby reserved, to be in whole or in part, as it may be deemed necessary, hypothecated for the *payment of the national debt*, etc.

"This decree of the Government was not carried out at the time, yet it had its effect upon the state and well-being of the missions in general. It could not be expected that with such a resolution under their eyes, the fathers would be as zealous in developing the natural resources of the country as before, seeing that the result of their labors was at any moment liable to be seized on by the Government, and handed over to strangers. The insecurity thus created naturally acted upon the converts in turn, for when it became apparent that the authority of the missionaries was more nominal than real, a spirit of opposition and independence on the part of some of the people was the natural result. Even before this determination had been come to on the part of the Government, there were not wanting evidences of an evil disposition on the part of the people; for as early as 1803 one of the missions had become the scene of a revolt; and earlier still, as we learn from an unpublished correspondence of the fathers, it was not unusual for some of the converts to abandon the missions and return to their former wandering life. It was customary on those occasions to pursue the deserters, and compel them to return.

"Meantime, the internal state of the missions was becoming more and more complex and disordered. The desertions were more frequent and numerous, the hostility of the unconverted more daring, and the general disposition of the people inclined to revolt. American traders and freebooters had entered the country, spread themselves all over the province and sowed the seeds of discord and revolt among the

inhabitants. Many of the more reckless and evil-minded readily listened to their suggestions, adopted their counsels, and broke out into open hostilities. Their hostile attack was first directed against the Mission of Santa Cruz, which they captured and plundered, when they directed their course to Monterey, and, in common with their American friends, attacked and plundered that place. From these and other like occurrences, it was clear that the condition of the missions was one of the greatest peril. The spirit of discord had spread among the people, hostility to the authority of the fathers had become common, while desertion from the villages was of frequent and almost constant occurrence. To remedy this unpleasant state of affairs, the military then in the country was entirely inadequate, and so matters continued, with little or no difference, till 1824, when, by the action of the Mexican Government, the missions began rapidly to decline.

"Two years after Mexico had been formed into a Republic, the Government authorities began to interfere with the rights of the fathers and the existing state of affairs. In 1826 instructions were forwarded by the Federal Government to the authorities of California for the liberation of the Indians. This was followed, a few years later, by another act of the Legislature, ordering the whole of the missions to be secularized and the Religious to withdraw. The ostensible object assigned by the authors of the measure was the execution of the original plan formed by Government. The missions, it was alleged, were never intended to be permanent establishments; they were to give way, in the course of some years, to the regular ecclesiastical system, when the people would be formed into parishes, attended by a secular clergy."

"Beneath these specious pretexts," says Dwinelle, in his *Colonial History*, "was undoubtedly a perfect understanding between the Government at Mexico and the leading men in California, and in such a condition of things the Supreme Government might absorb the Pious Fund, under the pretense that it was no longer necessary for missionary purposes, and thus had reverted to the State as a *quasi* escheat, while the co-actors in California should appropriate the local wealth of the missions, by the rapid and sure process of administering the temporalities." And again: "These laws (the secularization laws), whose ostensible purpose was to convert the missionary establishments into Indian pueblos, their churches into parish churches, and to elevate the Christianized Indians to the rank of citizens, were, after all, executed in such a manner that the so-called secularization of the missions *resulted only in their plunder* and complete ruin, and in the demoralization and dispersion of the Christianized Indians."

Immediately on the receipt of the decree, the then acting Governor of California, Don José Figueroa, commenced the carrying out of its provisions, to which end he prepared certain provisional rules, and in accordance therewith the alteration in the missionary system was begun, to be immediately followed by the absolute ruin of both missions and country. Within a very few years the exertions of the fathers were entirely destroyed; the lands, which hitherto had teemed with abundance, were handed over to the Indians, to be by them neglected and permitted to return to their primitive wildness, and the thousands of cattle were divided among the people and the administrators for the personal benefit of either.

Let us now briefly follow Father Gleeson in his contrast of the state of the peo-

ple before and after secularization. He says: "It has been stated already that in 1822 the entire number of Indians then inhabiting the different missions amounted to twenty thousand and upwards. To these others were being constantly added, even during those years of political strife which immediately preceded the independence of Mexico, until, in 1836, the number amounted to thirty thousand and more. Provided with all the necessary comforts of life, instructed in everything requisite for their state in society, and devoutly trained in the duties and requirements of religion, these thirty thousand Californian converts led a peaceful, happy, contented life, strangers to those cares, troubles and anxieties common to higher and more civilized conditions of life. At the same time that their religious condition was one of thankfulness and grateful satisfaction to the fathers, their worldly position was one of unrivaled abundance and prosperity. Divided between the different missions from St. Lucas to San Francisco, close upon one million of live-stock belonged to the people. Of these four hundred thousand were horned cattle, sixty thousand horses, and more than three hundred thousand sheep, goats, and swine. The united annual return of the cereals, consisting of wheat, maize, beans, and the like, was upwards of one hundred and twenty thousand bushels; while, at the same time, throughout the different missions, the preparation and manufacture of soap, leather, wine, brandy, hides, wool, oil, cotton, hemp, linen, tobacco, salt, and soda, were largely and extensively cultivated. And to such perfection were these articles brought, that some of them were eagerly sought for and purchased in the principal cities in Europe.

"The material prosperity of the country was further increased by an annual revenue of about one million of dollars, the net proceeds of the hide and tallow of one hundred thousand oxen slaughtered annually at the different missions. Another hundred thousand were slaughtered by the settlers for their own private advantage. The revenues on the articles of which there are no specific returns, are also supposed to have averaged another million dollars, which, when added to the foregoing, makes the annual revenue of the California Catholic Missions, at the time of their supremacy, between two and three million dollars. Independent of these, there were the rich and extensive gardens and orchards attached to the missions, exquisitely ornamented and enriched, in many instances, with a great variety of European and tropical fruit-trees, plums, bananas, oranges, olives, and figs, added to which were the numerous and fertile vineyards, rivaling in the quantity and quality of the grape those of the old countries of Europe, and all used for the comfort and maintenance of the natives. In a word, the happy results, both spiritual and temporal, produced in Upper California by the spiritual children of St. Francis, during the sixty years of their missionary career, were such as have rarely been equaled and never surpassed in modern times. In a country naturally salubrious, and, it must be admitted, fertile beyond many parts of the world, yet presenting at the outset numerous obstacles to the labors of the missionary, the fathers succeeded in establishing, at regular distances along the coast, as many as one-and-twenty missionary establishments. Into these holy retreats their zeal and ability enabled them to gather the whole of the indigenous race, with the exception of a few wandering tribes, who, it is only reasonable to suppose, would also have followed the example of their brethren, had not the labors of the fathers been dispensed with by the civil authorities. There, in those peaceful, happy abodes, abounding in more

than the ordinary enjoyment of things spiritual and temporal, thirty thousand faithful, simple-hearted Indians passed their days in the practice of virtue and the improvement of their country; from a wandering, savage, uncultivated race, unconscious as well of the God who created them as the end for which they were made, they became, after the advent of the fathers, a civilized, domestic, Christian people, whose morals were as pure as their minds were simple. Daily attendance at the holy sacrifice of the mass, morning and night prayer, confession and communion at stated times—the true worship, in a word, of the Deity, succeeded the listless, aimless life, the rude pagan games, and the illicit amours. The plains and valleys, which for centuries lay uncultivated and unproductive, now teemed under an abundance of every species of corn; the hills and plains were covered with stock; the fig tree, the olive, and the vine yielded their rich abundance, while lying in the harbors, waiting to carry to foreign markets the rich products of the country, might be seen numerous vessels from different parts of the world. Such was the happy and prosperous condition of the country under the missionary rule; and with this the reader is requested to contrast the condition of the people after the removal of the Religious, and the transfer of power to the secular authorities.

“In 1833 the decree for the liberation of the Indians was passed by the Mexican Congress, and put in force in the following year. The dispersion and demoralization of the people was the immediate result. Within eight years after the execution of the decree, the number of Christians diminished from thirty thousand six hundred and fifty to four thousand four hundred and fifty! Some of the missions, which in 1834 had as many as one thousand five hundred souls, numbered only a few hundred in 1842. The two missions of San Rafael and San Francisco Solano (Sonoma) decreased respectively within this period from one thousand two hundred and fifty, and one thousand three hundred, to twenty and seventy! A like diminution was observed in the cattle and general products of the country. Of the eight hundred and eight thousand head of live-stock belonging to the missions at the date above mentioned, only sixty-three thousand and twenty remained in 1842. The diminution in the cereals was equally striking; it fell from seventy to four thousand hectolitres. * * * By descending to particular instances this (the advantage of the religious over the civil administration) will become even more manifest still. At one period during the supremacy of the fathers, the principal mission of the country (San Diego) produced as much as six thousand *fanegas* of wheat, and an equal quantity of maize, but in 1842 the return for this mission was only eighteen hundred *fanegas* in all.”

But why prolong these instances which are adduced by the learned and reverend father? Better will it be to let the reader judge for himself. Figures are incontrovertible facts; let them speak. We present on the following page a carefully prepared table showing the number of Indians, horned cattle, horses, sheep, goats, and swine, together with the number of bushels of grain grown by the twenty-one Missions of Upper California between the years 1834 and 1842. These figures are collected from the records preserved by the Mission Fathers, and may be relied upon as approximately correct, and it will be universally admitted that this showing displays a degree of industry and perseverance on the part of the missionaries far in advance of their ruthless and indolent successors.

COMPARATIVE STATEMENT SHOWING THE NUMBER OF INDIANS, HORNED CATTLE, HORSES, SHEEP, GOATS, AND SWINE, AND BUSHELS OF GRAIN POSSESSED AND GROWN BY THE TWENTY-ONE MISSIONS OF UPPER CALIFORNIA BETWEEN THE YEARS 1834 AND 1842.

NAMES OF THE MISSIONS.	TIME OF FOUNDATION	Number of Indians.		Number of Horned Cattle.		Number of Horses.		Number of Sheep, Goats and Swine.		Harvest Bushels.
		1834.	1842.	1834.	1842.	1834.	1842.	1834.	1842.	
San Diego.....	June 16, 1769	2,500	500	12,000	20	1,800	100	17,000	200	13,000
San Luis Rey.....	June 13, 1798	3,500	650	80,000	2,800	10,000	400	100,000	4,000	14,000
San Juan Capistrano.....	Nov. 1, 1776	1,700	100	70,000	500	1,900	150	10,000	200	10,000
San Gabriel.....	Sept. 8, 1771	2,700	500	105,000	700	20,000	500	40,000	3,500	20,000
San Fernando.....	Sept. 8, 1797	1,500	400	14,000	1,500	5,000	400	7,000	2,000	8,000
San Buenaventura.....	Mch. 31, 1782	1,100	300	4,000	200	1,000	40	6,000	400	3,000
Santa Barbara.....	Dec. 4, 1786	1,200	400	5,000	1,800	1,200	180	5,000	400	3,000
Santa Cruz.....	Sept. 17, 1804	1,300	250	14,000	10,000	1,200	500	12,000	4,000	3,500
La Purissima Concepcion.....	Dec. 8, 1787	900	60	15,000	800	2,000	300	14,000	3,500	6,000
San Luis Obispo.....	Sept. 1, 1771	1,250	80	9,000	300	4,000	200	7,000	800	4,000
San Miguel.....	July 25, 1797	1,200	30	4,000	40	2,500	50	10,000	400	2,500
San Antonio.....	July 14, 1771	1,400	150	12,000	800	2,000	500	14,000	2,000	3,000
Nostra Senora de la Soledad.....	Oct. 9, 1791	700	20	6,000	.....	1,200	.....	7,000	.....	2,500
Mission del Carmel.....	June 3, 1770	500	40	3,000	.....	700	.....	7,000	.....	1,500
San Juan Bautista.....	June 24, 1799	1,450	80	9,000	.....	1,200	.....	9,000	.....	3,500
Santa Clara.....	Aug. 28, 1791	600	50	8,000	.....	800	.....	10,000	.....	2,500
Santa Clara.....	Jan. 18, 1777	1,800	300	13,000	1,500	1,200	250	15,000	3,000	6,000
San José.....	June 11, 1797	2,300	400	2,400	8,000	1,100	200	19,000	7,000	10,000
Dolores de San Francisco.....	Oct. 9, 1776	500	50	5,000	60	1,600	50	4,000	200	2,500
San Rafael.....	Dec. 18, 1817	1,250	20	3,000	.....	500	.....	4,500	.....	1,500
San Francisco Solano.....	Aug. 25, 1823	1,300	70	3,000	.....	700	.....	4,000	.....	3,000
		30,650	4,450	396,400	29,020	32,600	3,820	321,500	31,600	123,000

Being twenty-one missions in all distributed over a distance of two hundred and eighty-nine leagues.

That the fathers who had charge of the missions in Upper California paid strict attention to the duty of Christianizing the native race, is evidenced by documents still in existence. The following report and order dated Monterey, May 6, 1804, addressed to the Commissioner of the village of Branciforte, though belonging to the chronicles of another county, is here produced to exemplify the stringency with which religious observances were carried out:—

“In accordance with the rules made by the Governor, requiring a monthly report from the Commissioner of Branciforte, showing who of the colonists and residents do or do not comply with their religious duties, the official report for the month of April, 1804, certified by the reverend minister, has reached its destination. The Indian, Toribio, at some time past was derelict, but now has been brought to a proper sense of the requirements of a Christian era, and is absolved from further stricture upon his failures, and the reverend fathers are to be so notified. The rebellious Ignacio Acedo, for failure to comport himself outwardly as a devotee, is to be arrested and turned over to the church authorities, where flagellation and confinement in the stocks will cause him to pay a proper respect, and to be obedient to the precepts and commandments of the church, of which he has been a contumacious member. The Governor is to be informed of the punishment to which Acedo will be sentenced; and requires the information in writing, that it may be used by him, if he requires it, as an example of what those under his command may expect should they fail in the observance of the requirements of the church.”



L. H. Brown.

Then follows Government Order No. 29, signed by José M. Estudillo, Secretary of José J. de Arrillaga, Military Commander of Alta California, and which is to this effect:—

“I am in receipt of the list, certified by the reverend minister of the mission of Santa Cruz, of those who have observed the rules of religion, in having confessed and received the sacrament. The Indian, Toribio, has complied herewith, having done both, and I will send word to such effect to the fathers. You will cause Ignacio Acedo to be arrested, and notify the reverend fathers when you have done so, that they may do with him as they think proper, and inform me what the pastors of the church do to its members who fail to conform to the precepts of the holy religion, and have the reverend fathers put it in writing. May God protect you many years.”

In its early day the whole military force in Upper California did not number more than from two to three hundred men, divided between the four presidios of San Diego, Santa Barbara, Monterey, and San Francisco, while there were but two towns or pueblos, Los Angeles, and San José, the latter of which was established, November 29, 1777. Another was subsequently started in the neighborhood of Santa Cruz, which was named Branciforte, after a Spanish Viceroy. It may be conjectured that the garrisons were not maintained in a very effective condition. Such a supposition would be correct, for everywhere betokened the disuse of arms, and the long absence of an enemy. The cannon of the presidio at San Francisco were grey with mould, and women and children were to be seen snugly located within the military lines. The soldiers of the San Francisco district were divided into three cantonments—one at the presidio, one at Santa Clara Mission, and one at Mission San José. We now append a list of the soldiers connected with the presidio in the year 1790, which has been copied from the Spanish archives in San Francisco. Here will be found the names, position, nativity, color, race, age, etc., of the soldiers, as well as those of their wives, when married:—

Don Josef Arguello, Commandante, age 39.

Don Ramon Laro de la Neda, Alferez de Campo, age 34.

Pedro Amador, Sergeant. Spaniard from Guadalaxara, age 51; wife, Ramona Noriega, Spanish, aged 30; seven children.

Nicolas Galindo, mestizo, Durango, 42.

Majio Chavoya, City of Mexico, 34; wife, a Bernal.

Miguel Pacheco, 36; wife, a Sanchez.

Luis Maria Peralta, Spaniard, Sonora, 32; wife, Maria Loretta Alviso, 19.

Justa Altamarino, mulatto, Sonora, 45.

Ygnacio Limaxes, Sonora, 49; wife, Maria Gertruda Rivas, Spaniard, 38.

Ygnacio Soto, 41; wife, Barbara Espinoza.

Juan Bernal, mestizo, Sonora, 53; wife, Maxima I de Soto.

Jph. Maria Martinez, Sonora, 35; wife, Maria Garcia, mulatto, 18.

Salvador Igura, L. C., 38; wife, Alexa Marinda, Sonora, 38.

Nicolas Berryessa, mestizo, 25; wife, Maria Gertrudis Peralta; 24.

Pedro Peralta, Sonora, 26; wife, Maria Carmen Grisalva, 19.

Ygnacio Pacheco, Sonora, 30; wife, Maria Dolores Cantua, mestizo, age 16.

Francisco Bernal, Sinaloa, 27; wife, Maria Petrona, Indian, 29.

Bartolo Pacheco, Sonora, 25; wife, Maria Francisco Soto, 18.
 Apolinario Bernal, Sonora, 25.
 Joaquin Bernal, Sonora, 28; wife, Josefa Sanchez, 21.
 Josef Aceva, Durango, 26.
 Manuel Boranda, Guadalajara, 40; wife, Gertrudis Higuera, 13.
 Francisco Valencia, Sonora, 22; wife, Maria Victoria Higuera, 15.
 Josef Antonio Sanchez, Guadalajara, 39; wife, Maria Dolora Moxales, 34.
 Josef Orteiz, Guadalajara, 23.
 Josef Aguil, Guadalajara, 22; wife, Conellaria Remixa, 14.
 Alexandro Avisto, Durango, 23.
 Juan Josef Higuera, Sonora, 20.
 Francisco Flores, Guadalajara, 20.
 Josef Maria Castilla, Guadalajara, 19.
 Ygnacio Higuera, Sonora; wife, Maria Micaelo Borjorques, 28.
 Ramon Linare, Sonora, 19.
 Josef Miguel, Saens, Sonora, 18.
 Carto Serviente, San Diego, Indian, 60.
 Augustin Xirviento, L. C., 20.
 Nicolas Presidairo, Indian, 40.
 Gabriel Peralta, invalid, Sonora.
 Manuel Vutron, invalid, Indian.
 Ramon Borjorques, invalid, 98.
 Francisco Romero, invalid, 52.

A recapitulation shows that the inmates of the presidio consisted altogether of one hundred and forty-four persons, including, men, women, and children, soldiers, and civilians. There were thirty-eight soldiers, and three laborers, of these one was an European other than Spanish, seventy-eight Spaniards, five Indians, two mulattos, and forty-four of other castes.

An inventory of the rich men of the presidio, bearing date 1793, was discovered some years since, showing that Pedro Amador was the proprietor of thirteen head of stock and fifty-two sheep; Nicolas Galindo, ten head of stock; Luis Peralta, two head of stock; Manuel Boranda, three head of stock; Juan Bernal, twenty-three head of stock and two hundred and forty-six sheep; Salvador Youere, three head of stock; Aleso Miranda, fifteen head of stock; Pedro Peralta, two head of stock; Francisco Bernal, sixteen head of stock; Bartol Pacheco, seven head of stock; Joaquin Bernal, eight head of stock; Francisco Valencia, two head of stock; Berancia Galindo, six head of stock; Hermenes Sal (who appears to have been a secretary, or something besides a soldier), five head of stock and three mares. Computing these, we find the total amount of stock owned by these men was one hundred and fifteen cattle, two hundred and ninety-eight sheep, and seventeen mares—the parent stem from which sprung the hundreds of thousands of head of stock which afterwards roamed over the Californian mountains and valleys.

We have thus far dwelt chiefly upon the establishment of the missions; let us now briefly take into consideration the attempt made by another European nation to get a foothold on the coast of California.

The Russians, to whom then belonged all that territory now known as Alaska, had found their country of almost perpetual cold, without facilities for the cultivation of those fruits and cereals which go a great way towards maintaining life; therefore ships were dispatched along the coast in quest of a spot where a station might be established, and those wants supplied. In a voyage of this nature, the port of Bodega, in Sonoma County, was visited in January, 1811, by Alexander Koskoff, who took possession of the place on the fragile pleas that he had been refused a supply of water at Yerba Buena (San Francisco), and that he had obtained, by right of purchase from the Indians, the land lying between Point Reyes and Point Arena (Menlo County), and for a distance of three leagues inland. Here he remained for a while, and to Bodega gave the name of Romanzoff, calling the stream now known as Russian River, Slavianka.

The king of Spain, it should be remembered, claimed all territory north to Fuca Straits; therefore, on Governor Arguello receiving the intelligence of the Russian occupation of Bodega, he reported the circumstance to the Viceroy, Revilla Gigedo, who returned dispatches ordering the Muscovite intruder to depart. The only answer received to this communication was a verbal message, saying that the orders of the Viceroy of Spain had been received and transmitted to St. Petersburg for the action of the Czar. Here, however, the matter did not rest. There arrived in the harbor of San Francisco, in 1816, in the Russian brig *Rurick*, a scientific expedition under the command of Otto von Kotzebue. In accordance with instructions received from the Spanish authorities, Governor Sola proceeded to San Francisco, visited Kotzebue, and, as directed by his Government, offered aid in furtherance of the endeavors to advance scientific research on the coast. At the same time he complained of Koskoff; informed him of the action taken on either side, and laid particular emphasis on the fact that the Russians had been occupiers of Spanish territory for five years. Upon this complaint Don Gervasio Arguello was dispatched to Bodega as the bearer of a message from Kotzebue to Koskoff, requiring his presence in San Francisco. This messenger was the first to bring a definite report of the Russian settlement there, which then consisted of twenty-five Russians and eighty Kodiak Indians. On October 28th, a conference was held on board the *Rurick*, in the harbor of San Francisco, between Arguello, Kotzebue and Koskoff; there being also present José Maria Estudillo, Luis Antonio Arguello, and a naturalist named Chamisso, who acted as interpreter. No new development was made at this interview, for Koskoff claimed that he was acting in strict conformity with instructions from the Governor of Sitka; therefore Kotzebue declined to take any action in the matter, contenting himself with the simple promise that the entire affair should be submitted to St. Petersburg to await the instructions of the Emperor of Russia. Thus the matter then rested. Communications subsequently made produced a like unsatisfactory result, and the Russians were permitted to remain for a lengthened period possessors of the land they had so arbitrarily appropriated.

In Bodega, the Russians, however, went to work with a will, whether they had a right to the soil or not. They proceeded into the country about six miles and there established a settlement, houses being built, fields fenced, and agricultural pursuits vigorously engaged in. As soon as the first crop had matured and was ready for

shipment, it became necessary for them to have a warehouse at the bay where their vessels could be loaded, which was done, it being used for the storage of grain or furs as necessity called for. It was not long before they found there was a strong opposition to them, and that it would be necessary to build a fort for their protection if they would keep possession of their newly acquired domain. Open warfare was threatened, and the Russians had reason to believe that the threats would be carried out. Besides the Spaniards, there was another enemy to word against—the Indians—over whom the former, through the missions, had absolute control, and the Russians apprehended that this power would be used against them. Several expeditions were organized by the Spanish to march against the Russians, and while they all came to naught, yet they served to cause them to seek for some place of refuge in case of attack. This they did not care to look for at any point nearer the Bay of San Francisco, for there they would be brought in closer proximity to the enemy, hence they went in an opposite direction. Doubtless the Muscovite would have been glad to have adopted a *laissez faire* policy towards the Spanish, and would have been well satisfied to have left them alone if they would only have retaliated in like manner; fearing, however, to trust the Spaniards, they proceeded to search for such a location as would afford them natural protection from their enemies.

In passing up the coast to the northward, they came to Fort Ross, where they found everything they desired. Vast meadows extended to the eastward affording pasture to flocks without number.

“This is the forest primeval; the murmuring pines and the hemlocks,
Bearded with moss and in garments green, indistinct in the twilight,
Stand like Druids of eld, with voices sad and prophetic,
Stand like harpers hoar, with beards that rest on their bosoms,
Loud from its rocky caverns, the deep-voiced neighboring ocean
Speaks and in accents disconsolate, answers the wail of the forest.”

There was a beautiful little cove in which vessels might lie in safety from the fury of northern storms; near at hand was an ample stretch of beach on which their rude, yet staunch, argosies could be constructed and easily launched upon the mighty deep; no more propitious place could have been found for the establishment of the Russian headquarters. The location once fixed upon they set to work to prepare their new homes. A site was chosen for the stockade near the ocean's shore, in such a position as to command all ships lying in the little cove and prevent any hostile craft from effecting a landing. The ground inclosed in this stronghold was a parallelogram two hundred and eighty feet wide, three hundred and twelve feet long, and containing two acres, its corners being placed very nearly upon the cardinal points of the compass. At the north and south angles there was constructed an octagonal bastion, both built exactly alike, twenty-four feet in diameter, two stories high, and each mounted with six pieces of artillery. The walls were formed of hewed logs, mortised together at the corners and of about eight inches in thickness, while the roof was conical in shape, with a small flag-staff at the apex. The stockade inclined towards these towers in such a way that one-half of them was within and the remaining portion without the inclosure, while the entrance to either was through small doors from the interior, and the embrasures overlooking both the inside and outside being thus arranged in order to protect those within from an out-

side enemy, as well as to have all in the interior in range of the guns in case of an *émute*. It is interesting to note the manner in which the stockade itself was constructed. A trench was excavated two feet in depth and at every ten feet along the bottom a hole was dug one foot deep in which six by ten-inch posts were inserted, between which, and firmly empierced into them, was a strong girder fastened with a wooden pin. Slabs of varying width, but all about six inches in thickness, were then placed in an unright position between the first posts and resting on the girder in the ditch, being firmly fastened to them, while at a distance of twelve feet from the lower girder there was run another one, which, too, was fastened into the posts and clinched with wooden pins. These girders rested on the top of the slabs mentioned as being placed between the posts. The slabs were slotted at the tops, into which a piece of timber was passed, then huge wooden pins were thrust down through the girders and the piece in the slots and well into the body of the slabs. The main posts extended about three feet higher, and near the top a lighter girder was run along, and between the two last mentioned there was a row of light slabs two inches thick and four inches wide, pointed at the top like pickets. It may well be imagined that when the trench was filled up with tamped rock and dirt that this fortification was almost invulnerable, when we remember the implements of war likely to be brought against it in those days of rude weapons. All around the stockade there were embrasures suitable for the use of muskets or carronades, of which latter, it is said, there were several in the fortress.

On the northern side of the eastern angle there was erected a chapel, which was used exclusively by the officers of the garrison. It was twenty-five by thirty-one feet in dimensions and strongly built, the outer wall forming a part of the stockade, the round port-holes being peculiar looking openings in a house of worship. The entrance was on the inside of the fort, and consisted of a rude, heavy wooden door held upon wooden hinges. There was a vestibule about ten by twenty-five feet in size, thus leaving the auditorium twenty-one by twenty-five feet, from which a narrow stairway led to a low loft, while the building was crowned with two domes, one of which was round and the other pentagonal in shape, in which, it is related, there had been hung a chime of bells. The roof was made of long planks, either sawed or rove from redwood, as was also the sides of the chapel in the fort. A considerable degree of carpenter's skill was displayed in the construction of the building, for a faint attempt at getting out mouldings for the inner door and window casings was made, a bead being worked around the outer edge of the casing and mitered at the corners.

On the west side of the northern angle there was a two-storied building, twenty-eight by eighty feet in dimensions, which was roughly constructed and doubtless used as the barracks for the men of the garrison. On the northern side of the western angle there was a one-story building, twenty-nine by fifty feet, constructed in a better style of workmanship and evidently used as officers' quarters. On the southern side of the western angle was a one-story building, twenty-five by seventy-five feet, which was presumably used for a work-house, as various branches of industry were prosecuted within its walls; and on the eastern side of the southern angle there was a row of low shed buildings, used, it is thought, for the stabling of stock and storing of feed. The framework of all the buildings was made of very large and heavy timbers,

many of them being twelve inches square. The rafters were all great, ponderous round pine logs, a considerable number of them being six inches in diameter. The above includes the stockade and all its interior buildings.

We will now draw attention to the exterior buildings, for be it known that there was, at one time, a colony numbering two hundred and fifty souls at Fort Ross. In 1845 there were the remains of a village of about twenty-five small dwelling-houses on the north side of the stockade, all of which were in keeping with those at Bodega. They were probably not over twelve by fourteen feet in size, and fashioned from rough slabs of redwood. These hardy Muscovites were so rugged and inured to the cold of the higher latitudes that they cared not for the few cracks that might admit the fresh, balmy air of the California winter mornings. Also, to the northward of, and near this village, situated on an eminence, was a wind-mill, which was the motor for driving a single run of burrs, and also for a stamping machine used for grinding tan-bark. The wind-mill produced all the flour used in that and the Bodega settlements, and probably a considerable amount was also sent with the annual shipment to Sitka. To the south of the stockade, and in a deep gulch at the *débouchure* of a small stream into the ocean, there stood a very large building, probably eighty by one hundred feet in size, the rear half of which was used as a tanning establishment. Here were six vats in all, constructed of heavy, rough redwood slabs, and each with a capacity of fifty barrels; there were also the usual appliances necessary for the conduct of a tannery, but these implements were rough and unwieldy in their make, still, with these, they were able to manufacture a good quality of leather in large quantities. The front half of the building, or that facing the ocean, was used as a workshop for shipwrights. Ways were constructed on a sand beach at this point, leading into deep water, and upon them were built a number of staunch vessels, and from here was launched the very first sea-going craft constructed in California. Still further to the south, and near the ocean shore, stood a building eighty by a hundred feet, which bore all the marks of having been used as a store-house; it was, however, unfortunately blown down by a storm on July 16, 1878, and soon there will be nothing to mark its site.

Tradition states that to the eastward of the fort, and across the gulch, there once stood a very large building, which was used as a church for the common people of the settlement, near which the cemetery was located. A French tourist once paid Fort Ross a visit, and, arriving after dark, asked permission to remain over night with the parties who at that time owned that portion of the Mexican grant on which the settlement was located. During the evening the conversation naturally drifted upon the old history of the place. The tourist displayed a familiarity with all the surroundings, which surprised his host and caused him to inquire if he had ever lived there with the Russians. He answered that he had not, but that he had a very warm friend in St. Petersburg who had passed thirty years of his life at Fort Ross as a priest in the Greek Church, and that he had made him a promise, upon his departure for California, about a year before, to pay a visit to the scenes of the holy labors of the priest, and it was in compliance with this promise that he was there at the time. Among the other things inquired about was the church close to the cemetery mentioned above. All traces of this building had long since disappeared and the settlers

were surprised to hear that it ever stood there. The tourist assured them that the priest had stated distinctly that such an edifice once occupied that site, and also that a number of other buildings stood near it, which were used by the peasants as homes. Ernest Rufus, of Sonoma, who visited Fort Ross in 1845, has informed us that when the land lapsed into disuse after the Russians had left, wild oats grew very rank, often reaching the enormous height of ten feet, and the Indians being wont to set it on fire, during these conflagrations the fences and many of the smaller houses of the Russians were consumed, while he well remembers there were a number of cabins near the cemetery, and that the blackened ruins of a very large building also remained, which the half-breed Russo-Indians told him had been used as a church. The tourist mentioned above stated that his friend, the priest, was greatly attached to the place, as had been all who had lived in the settlement. They found the climate genial, the soil productive, and the resources of the country great, and, all in all, it was a most desirable place to live in.

The Russians had farmed very extensively here, having at least two thousand acres inclosed, besides a great deal that was not. Their fences, which were chiefly of that kind known as rail and post, as stated before, nearly all perished in the wild fires. Their agricultural processes were as crude as any of their other work. Their plow was very similar to the old Spanish implement, so common in this country at that time and still extant in Mexico, with this exception, the Muscovite instrument possessed a mold-board. Oxen and cows were employed as draft animals, the old Spanish yoke being adjusted to their horns instead of to their necks. We have no account of any attempt to construct either a cart or a wagon, but it is probable they had vehicles like unto those described as being in use among the Californians at that time, while it is supposed they used to a great extent sleds for transporting their produce, when cut, to the threshing floor, which was constructed differently from those then common in the country, and was simply composed of heavy puncheons elevated from the ground into the interstices between which the grain fell to the floor as it was released from the head. The threshing was done in this wise: A layer of grain, in the straw, of a foot or two in depth, was placed upon the floor, over which oxen hitched to a log—into which were inserted rows of wooden pegs—were then driven. As the log revolved these pegs acted well the part of a flail, the straw being expeditiously relieved of its burden of grain. It was, doubtless, no difficult task to winnow the grain after it was threshed as the wind blows a stiff blast at that point during all of the summer months.

The Russians constructed a wharf at the northern side of the little cove and graded a road down the steep ocean shore to it, the line of which is still visible, for it passed much of its way through solid rock. This quay or jetty was made fast to the rocks on which it was built with long iron bolts, of which only a few that were driven into the hard surface now remain, while the wharf itself is gone, and mayhap its timbers drifted upon many a foreign shore.

These old Muscovites, probably, produced the first lumber with a saw ever made north of the San Francisco Bay, for they had both a pit and whip-saw, the former of which can be seen to this day. Judging from the number of stumps still standing, and the extent of territory over which they extended their logging operations, they evidently consumed large quantities of lumber. The timber was only about one mil-

distant from the ship-yard and landing, while the stumps of trees cut by them are still standing, and beside them from one to six shoots have sprung up, many of which have now reached a size sufficient for lumber purposes. This growth has been remarkable and goes to show that if proper care were taken, each half century would see a new crop of redwoods, sufficiently large for all practical purposes, while ten decades would develop gigantic trees.

As stated above, the cemetery lay to the eastward of the fort, about one-fourth of a mile, and across a very deep gulch, it being near the church for the peasants. There were never more than fifty graves in it, though all traces are obliterated now of not more than a dozen; most of those still remaining had some sort of a wooden structure built over them. One manner of constructing these mausoleums was to make a series of rectangular frames of square timbers, about six inches in diameter, each frame a certain degree smaller than the one below it, which were placed one above another, until an apex was reached, the whole being surmounted with a cross. Another method was to erect a rectangular frame of heavy planking about one foot high and cover the top with two heavy planks placed so as to be roof-shaped; others had simply a rude cross; others, a cross on which some mechanical skill was displayed, while one has a large round post standing high above the adjacent crosses. The occupants of this silent city are presumably buried with their heads toward the west for the graves lie due east and west. From their size, several of them must hold the ashes of children, but no inscription remains to tell their story. Quietly are they sleeping in their far-away tombs where the eyes of those who knew and loved them in their earthly life can never rest again upon their little graves, and while the eternal roar of the mighty Pacific makes music in the midnight watches do they await the great day that shall restore them to their long-lost friends. Sleep on, brave hearts, and peaceful be thy slumbers.

In an easterly direction, and about one mile distant from the fort, there was an inclosure containing about five acres, surrounded by a fence about eight feet high, made of redwood slabs about two inches in thickness, these being driven into the ground, while the tops were nailed firmly to girders extending from post to post, set about ten feet apart. Within the inclosure there was an orchard consisting of apple, prune, and cherry trees. Of these, about fifty of the first and nine of the last-named, moss-grown and gray with age, still remain, while it is said that all the old stock of German prunes in California came from seed produced there.

The Russians had a small settlement at a place now known as Russian Gulch where they evidently grew wheat, for the remains of a warehouse are still to be seen.

There were several commanders who had charge of the Russian interests on the Pacific Coast, but the names of all save the first, Alexander Koskoff, and the last, Rotscheff, have been lost to tradition. Gen. William T. Sherman relates a pleasing incident in his "Memoirs" which is called to mind by the mention of the name of Rotscheff. While lying at anchor in a Mediterranean port, the vessel on which Sherman was traveling was visited by the officers of a Russian naval vessel. During the exchange of courtesies and in the course of conversation, one of the Russian officers took occasion to remark that he was an American by birth, having been born in the Russian Colony in California, and that he was the son of one of the colonial



C. J. Stevens

rulers. He was doubtless the son of Rotscheff and his beautiful spouse, the Princess de Gargarin, in whose honor Mount St. Helena was named. The beauty of this lady excited so ardent a passion in the breast of Solano, chief of the Indian tribe of that name, that he formed a plan to capture, by force or strategy, the object of his strange love, and he might have succeeded had his design not been frustrated by General Vallejo.

We have thus set forth all the facts concerning the Russian occupancy, and their habits, manners, buildings, occupations, etc.; we will now trace the causes which led to their departure from the genial shores of California.

It has been stated that the promulgation of the Monroe Doctrine caused them to leave; but that is hardly the fact, for they remained seventeen years after this policy was announced to the countries of Europe; it is, however, probably true that European nations had something to do with it, for both France and England had an eye upon this territory, and both hoped some day to possess it. As long as the Russians maintained a colony here, they had a prior claim to the territory; hence they must be got rid of. The Russians also recognized the fact that the Americans were beginning to come into the country in considerable numbers, and that it was inevitable that they should overrun and possess it. The subsequent train of events proved that their surmises were correct; one thing, however, is evident, and that is, that they did not depart at the request or behest of either the Spanish or Mexican Governments. It is almost certain that the Russians contemplated a permanent settlement at this point when they located here, as this section would provide them with wheat, an article much needed for the supply of their stations in the far north. Of course, as soon as the Spanish authorities came to know of their permanent location, word was sent of the fact to Madrid. In due course of time reply came from the seat of Government ordering the Muscovite intruders to depart, but to this peremptory order, their only answer was that the matter had been referred to St. Petersburg.

We have shown above that an interview had taken place between Koskoff and the Spanish authorities on board the *Rurick*, when anchored in the Bay of San Francisco, to consult on the complaints of the latter, but that nothing came of it. The commandants under the Mexican *régime*, in later years, organized several military expeditions for the purpose of marching against the intruders, but none in that direction was ever made. For more than a quarter of a century they continued to hold undisturbed possession of the disputed territory, prosecuted their farming, stock-raising, hunting, trapping, and ship-building enterprises; and, whatever may have been the causes which led to it, there finally came a time when the Russian authorities had decided to withdraw the California colony. The proposition was made first by them to the Government authorities at Monterey, to dispose of their interests at Bodega and Fort Ross, including their title to the land, but, as the authorities had never recognized their right or title, and did not wish to do so at that late date, they refused the purchase. Application was next made to Gen. M. G. Vallejo, but on the same grounds he refused to buy. They then applied to Capt. John A. Sutter, a gentleman at that time residing near where Sacramento City now stands, and who had made a journey from Sitka some years before in one of their vessels. They persuaded Sutter into the belief that their title was good, and could be maintained; so, after

making out a full invoice of the articles they had for disposal, including all the land lying between Point Reyes and Point Mendocino, and one league inland, as well as cattle, farming and mechanical implements, also, a schooner of one hundred and eighty tons burthen, some arms, a four pound brass field-piece, etc., a price was decided upon, the sum being thirty thousand dollars, which, however, was not paid at one time, but in cash installments of a few thousand dollars, the last payment being made through ex-Governor Burnett, in 1849. All the stipulations of the sale having been arranged satisfactorily to both parties, the transfer was duly made, and Sutter became, as he had every right to expect, the greatest land-holder in California—the grants given by the Mexican Government seemed mere *bagatelles* when compared to his princely domain—but, alas for human hopes and aspirations, in reality he had paid an enormous price for a very paltry compensation of personal and chattel property! It is *apropos* here to remark that in 1859, Sutter disposed of his Russian claim, which was a six-eighths interest in the lands mentioned above, to William Muldrew, George R. Moore, and Daniel W. Welty, but they only succeeded in getting six thousand dollars out of one settler, and, the remainder refusing to pay, the claim was dropped. Some of the settlers were inclined to consider the Muldrew claim, as it is called, a blackmailing affair, and to censure General Sutter for disposing of it to them, charging that he sanctioned the pilfering process, and was to share in its profits, but we will say in justice to the memory of that large-hearted pioneer, that so far as he was concerned, there was no idea of extortion on his part. He supposed that he had purchased a *bona fide* claim and title to the land in question of the Russians, and always considered the grants given by the Mexican Government as *bogus*, hence, on giving the quit-claim deed to Muldrew *et al.* he sincerely thought that he was deeding that to which he alone had any just or legal claim.

Orders were sent to the settlers at Fort Ross to repair at once to San Francisco Bay, and ships were dispatched to bring them there, where whaling vessels bound for the northern fishing grounds had been chartered to convey them to Sitka. These craft arrived at an early hour in the day, and on the orders being shown to Rotscheff, the commander, he ordered the bells in the chapel towers to be rung, and the cannon to be fired, this being the usual method of convoking the people at an unusual hour, or for some especial purpose, so, everything was suspended just there—the husbandman left his plow standing in the half-turned furrow and unloosed his oxen, never again to yoke them, leaving them to wander at will over the fields; the mechanic dropped his planes and saws on the bench, with the half-smoothed board remaining in the vise; the tanner left his tools where he was using them, and doffed his apron to don it no more in California. As soon as the entire population had assembled, Rotscheff arose and read the orders. Very sad and unwelcome, indeed, was the intelligence, but the edict had emanated from a source which could not be gainsaid, and the only alternative was a speedy and complete compliance, however reluctant it might be—and thus four hundred people were made homeless by the fiat of a single word. Time was only given to gather up a few household effects with some of the choicest mementoes, and they were hurried on board ship. Scarcely time was given to those whose loved ones were sleeping in the grave-yard near by, to pay a last sad visit to their resting-place. Embarkation was commenced at once;

"And with the ebb of the tide the ships sailed out of the harbor,
Leaving behind them the dead on the shore,"

And all the happy scenes of their lives, which had glided smoothly along on the beautiful shores of the Pacific and in the garden spot of the world. Sad and heavy must have been their hearts, as they gazed for the last time upon the receding landscape which their eyes had learned to love, because it had been that best of places—HOME.

"This is the forest primeval; but where are the hearts that beneath it
Leaped like the roe, when he hears in the woodland the voice of the huntsman?
Waste are the pleasant farms, all the farmers forever departed!
Scattered like dust and leaves, when the mighty blasts of October
Seize them and whirl them aloft, and sprinkle them far over the ocean,
Naught but tradition remains.
Still stands the forest primeval; but under the shade of its branches
Dwells another race, with other customs and language,
While from its rocky caverns the deep-voiced neighboring ocean
Speaks, and in accents disconsolate, answers the wail of the forest."

At this stage of our remarks it may, perhaps, be well to introduce the reader to a few of the characteristics, manners, customs, and mode of living of the native Californians. These were for the most part, a half-caste race between the white Castilian and the native Indian, very few of the natives retaining the pure blood of old Castile; they were consequently of all shades of color and developed, the women especially, into a handsome and comely people. Their wants were few and easily supplied; they were contented and happy; the women were virtuous and great devotees to their church and religion, while, the men in their normal condition were kind and hospitable, but when excited, they became rash, fearless and cruel, with no dread for either knife or pistol. Their generosity was great, everything they had being at the disposal of a friend, or even a stranger, while socially, they loved pleasure, spending most of their time in music and dancing; indeed such was their passion for the latter that their horses have been trained to cavort in time to the tones of the guitar. When not sleeping, eating, or dancing, the men passed most of their time in the saddle and naturally were very expert equestrians. Horse-racing was with them a daily occurrence, not for the gain which it might bring, but for the amusement to be derived therefrom; and to throw a dollar upon the ground, ride at full gallop and pick it up, was a feat that almost any of them could perform.

Horses and cattle gave them their chief occupation. They could use the riata or lasso with the utmost dexterity; whenever thrown at a bullock, horseman, or bear, it rarely missed its mark. The riata in the hand of a Californian was a more dangerous weapon than gun or pistol, while, to catch a wild cow with it, throw her and tie her without dismounting, was most common, and to go through the same performance with a bear was not considered extraordinary. Their only articles of export were hides and tallow, the value of the former being about one dollar and a half in cash, or two in goods, and the latter three cents per pound in barter. Young heifers of two years old, for breeding purposes, were worth three dollars; a fat steer, delivered to the purchaser, brought fifty cents more, while it was considered neither trespass nor larceny to kill a beeve, use the flesh, and hang the hide and tallow on a tree, secure from coyotes, where it could be found by the owner.

Lands outside of the towns were only valuable for grazing purposes. For this use every citizen of good character, having cattle, could, for the asking, and by paying a fee to the officials, and a tax upon the paper upon which it was written, get a grant for a grazing tract of from one to eleven square leagues of land. These domains were called *ranchos*, the only improvements on them being usually a house and corral. They were never inclosed; they were never surveyed, but extended from one well-defined landmark to another, and whether they contained two or three leagues more or less was regarded as a matter of no consequence, for the land itself was of no value to the Government.

It was not necessary for a man to keep his cattle on his own land. They were ear-marked and branded when young, and these established their ownership. The stock roamed whithersoever they wished, the *ranchero* sometimes finding his animals fifty or sixty miles away from his grounds. About the middle of March commenced the "*Rodeo*" season, which was fixed in advance by the *ranchero*, who would send notice to his neighbors around, when all, with their *vaqueros*, would attend and participate. The rodeo was the gathering in one locality of all the cattle on the rancho. When this was accomplished, the next operation was for each *ranchero* present to part out from the general herd all animals bearing his brand and ear-mark and take them off to his own rancho. In doing this they were allowed to take all calves that followed their mothers, what was left in the rodeo belonging to the owner of the rancho, who had them marked as his property. On some of the *ranchos* the number of calves branded and marked each year appears to us at this date to be enormous, Joaquin Bernal, who owned the Santa Teresa Rancho, in the Santa Clara Valley, having been in the habit of branding not less than five thousand head yearly. In this work a great many horses were employed. Fifty head was a small number for a *ranchero* to own, while they frequently had from five to six hundred trained animals, principally geldings, for the mares were kept exclusively for breeding purposes. The latter were worth a dollar and a half per head; the price of saddle horses was from two dollars and fifty cents to twelve dollars.

In the month of December, 1865, a writer under the *nom de plume* of "Yadnus," thus writes to the *San José Mercury*:—

"Not many years ago, in the agricultural counties, or, as they are more elegantly termed in the parlor language of California, 'Cow Counties,' prevailed to a great extent the custom which has given rise to the following rough verses. Until the heavy floods and severe weather of the memorable winter of 1861, had more than decimated their herds, it was the practice (in accordance with law, I believe), for the wealthy *rancheros*—men who counted their cattle (when they counted them at all) by the thousands—to hold twice a year, a rodeo (*rodere*), to which all who owned stock within a circuit of fifty miles repaired, with their friends, and often with their families. At the appointed time, the cattle, for many leagues around, were gathered up by the horsemen, or *vaqueros* (*buckaros*), of the different stockmen and driven into a large corral, where the branding, marking, and claiming of stock occupied sometimes a week. At the largest rodeo I ever witnessed there were gathered together some thirty thousand head of cattle, and at least three hundred human beings, among whom were many of the *gentler* sex. These rodeos were usually presided over by a 'Judge

of the Plains,' an officer appointed in later years by the Board of Supervisors, and whose duty it was to arbitrate between owners in all disputes that might arise as to cattle-property, overhaul and inspect all brands of stock being driven from or through the county, and to steal as many 'hoobs' as he possibly could without detection. In fact, the 'perquisites' constituted pretty nearly the entire pay of this valuable officer, and if they all understood their business as well as the one it was my fortune to cabin with for a number of months, they made the office pay pretty well."

The following poetic description of a rodeo is well worthy the perusal of the reader:—

EL RODEO.

Few are the sunny years, fair land of gold,
That round thy brow their circlet bright have twined;
Yet, each thy youthful form hath still enrolled
In wondrous garb of peace and wealth combined.
Few are the years since old Hispania's sons
Reared here their missions—toll'd the chapel bell;
Subdued the natives with their priestly guns,
To bear the cross of God—and man as well.

Of't have the holy Fathers careless stood
Within thy valleys, then a blooming waste:
Or heedless, toiled among the mountain flood,
That rich with treasure, downward foamed and raced.
Those times and scenes have long since passed away,
Before the white man's wisdom-guided tread,
As fly the shades before the steps of day,
When in the east he lifts his radiant head.

But still thy valleys and thy mountains teem
With customs common to the race of old,
Like Indian names bequeathed to lake and stream,
They'll live while Time his restless reign shall hold.
'Tis of one such that I essay to sing,
A custom much in vogue in sections here,
Till flood and frost did such destruction bring
That scarce since then was needed a *rodere*.

Last night, at sunset, down the stream, I saw
The dark *vagueros* ride along the plain,
With jingling spur, and bit, and *jaquima*,
And snake-like lariats scarce e'er hurled in vain;
The steeds they rode were champing on the bit,
The agile riders lightly sat their "trees,"
And many a laugh and waif of Spanish wit
Made merry music on the evening breeze.

Far out beyond the hills their course they took,
And where there lies, in early-summer days,
A lake, a slough, or chance a pebbly brook,
The coyote saw the camp-fire wildly blaze.
All night they lay beneath the lurid glare,
Till had upsprung morn's beauteous herald star,
And then, received each here the needed care,
Quick o'er the plains they scattered near and far.

They come! and thundering down the red-land slope,
The fierce *ganado* madly tears along,
While, close behind, urged to their utmost lope,
The wild *caballos* drive the surging throng.
At headlong speed the drivers keep the band,
With yells, and oaths, and waving hats and coats,
Till in the strong corral they panting, stand,
And rest is gained for horses and for throats.

Then comes the breakfast; soon the steer they kill,
And quickly is the dressing hurried through;
The meat is cooked by rude, yet well-liked skill,
And—all do know what hungry men can do.
The *Padron* sits beneath yon old oak tree,
Encircled by a group of chatting friends;
For at *rodeo*, all one can eat is free,
So all around in greasy union blends.

The breakfast finished, cigarettes alight,
Unto the huge corral all hands proceed;
The strong-wove cinches are made doubly tight,
And the *riata's* noose prepared for need.
The fire is kindled, and the iron brand,
Amid its coals, receives the wonted heat;
The *Padron* waves assent, with eager hand,
And the dark riders bound to saddle-seat.

Where yon dark cloud of dust is rising high,
The swart *vaquero* like the lightning dart,
And singling out their prey with practiced eye,
Rush him from the affrighted herd apart,
Then whirls the lasso, whistling through the air,
In rapid circles o'er each horseman's head,
Till round the yearling's throat is hurled the snare
Burning like a huge coil of molten lead.

Then heedless of its struggles to get free,
They drag it to the *Mayordomo's* stand,
Who, though of tender heart he's wont to be,
Now, merciless, sears deep in its flesh the brand.
The Spanish mother, at her youngling's cry,
Comes charging down with maddened hoof and horn,
While far and wide the crowd of gazers fly,
And hide behind the fence-posts till she's gone.

In faith, it is a sight well worth to see,
 For those who like excitement's feverish touch,
 And he who can look on and passive be,
 Has ice within his nature overmuch.
 What frantic bellowings pierce the startled air,
 What clouds of dust obscure the mid-day sky,
 What frenzied looks the maddened cattle wear,
 As round and round, in vain, they raging fly!

These things, and many more, tend well to fill
 The eager cravings of the morbid mind,
 Akin to passions that full oft instill
 Feelings that prompt the torture of its kind;
 But he who rashly seeks a closer view
 Of tortured calf, to mark each groan and sigh,
 Receives, full oft, rebuke in black and blue,
 Pointed with force to where his brains most lie.

By the time the rodeo season was over, about the middle of May, the "Matanza," or killing season, commenced. The number of cattle slaughtered each year was commensurate with the number of calves marked, and the amount of herbage for the year, for no more could be kept alive than the pasture on the rancho could support. After the butchering, the hides were taken off and dried; the tallow, fit for market, was put into bags made from hides; the fattest portions of the meat were made into soap, while some of the best was cut, pulled into thin shreds, dried in the sun, and the remainder thrown to the buzzards and the dogs, a number of which were kept—young dogs were never destroyed—to clean up after a matanza. Three or four hundred of these curs were to be found on a rancho, and it was no infrequent occurrence to see a ranchero come into a town with a string of them at his horse's heels.

Let us consider one of the habitations of these people. Its construction was beautiful in its extreme simplicity. The walls were fashioned of large, sun-dried bricks made of that black loam known to settlers in the Golden State as adobe soil, mixed with straw, measuring about eighteen inches square and three in thickness, these being cemented with mud, plastered within with the same substance, and white-washed when finished. The rafters and joists were of rough timber, with the bark simply peeled off, and placed in the requisite position, the thatch being of rushes or chaparral, fastened down with thongs of bullocks' hide. When completed, these dwellings stand the brunt and wear of many decades of years, as can be evidenced by the number which are still occupied throughout the country. The furniture consisted of a few cooking utensils, a rude bench or two, sometimes a table, and the never-failing red camphor-wood trunk. This chest contained the extra clothes of the women—the men wore theirs on their backs—and when a visit of more than a day's duration was made, the box was taken along. They were cleanly in their persons and clothing; the general dress being, for females, a common calico gown of plain colors, blue grounds with small figures being most fancied. The fashionable ball-dress of the young ladies was a scarlet flannel petticoat covered with a white lawn skirt, a combination of tone in color which is not surpassed by the modern gala costume. Bonnets there were none, the head-dress consisting of a long, narrow shawl or scarf. So graceful was their dancing that it was the admiration of all strangers; but as much cannot be said for that of the men, for the more noise they made the better it suited them.

The dress of the men was a cotton shirt, cotton drawers, *calzonazos*, sash, *serape*, and hat. The *calzonazos* took the place of pantaloons in the modern costume, and differed from these by being open down the sides, or rather, the seams on the sides were not sewed as in pantaloons, but were laced together from the waistband to the hips by means of a ribbon run through eyelets; thence they were fastened with large silver bell-buttons. In wearing them they were left open from the knee down. The

best of these garments were made of broadcloth, the inside and outside seams being faced with cotton velvet. The serape was a blanket with a hole through its center, through which the head was inserted, the remainder hanging to the knees before and behind. These cloaks were invariably of brilliant colors, and varied in price from four to one hundred and fifty dollars. The calzonazos were held in their place by a pink sash worn around the waist, while the serape served as a coat by day and a covering by night.

Their courtship was to the western mind peculiar, no flirting or love-making being permitted. When a young man of marriageable age saw a young lady whom he thought would make a happy help-mate, he had first to make his wishes known to his own father, in whose household the eligibility of the connection was primarily canvassed, when, if the desire was regarded with favor, the father of the enamored swain addressed a letter to the father of the young lady, asking for his daughter in marriage for his son. The matter was then freely discussed between the parents of the girl, and, if an adverse decision was arrived at, the father of the young man was by letter so informed, and the matter was at an end; but if the decision of her parents was favorable to him, then the young lady's inclinations were consulted, and her decision communicated in the same manner, when they were affianced, and the affair became a matter of common notoriety. Strephon might then visit Chloe, was received as a member of her family, and when the time came the marriage was celebrated by feasting and dancing, which usually lasted from three to four days. It may be mentioned here that when a refusal of marriage was made, the lady was said to have given her lover the pumpkin—*Se dio la cabala*.

The principal articles of food were beef and beans, in the cooking and preparing of which they were unsurpassed; while they cultivated, to a certain extent, maize, melons, and pumpkins. The bread used was the *tortilla*, a wafer in the shape of the Jewish unleavened bread, which was, when not made of wheaten flour, baked from corn. When prepared of the last-named meal, it was first boiled in a weak lye made of wood ashes, and then by hand ground into a paste between two stones; this process completed, a small portion of the dough was taken out, and by dexterously throwing it up from the back of one hand to that of the other the shape was formed, when it was placed upon a flat iron and baked over the fire.

The mill in which their grain was ground was made of two stones as nearly round as possible, of about thirty inches in diameter, and each being dressed on one side to a smooth surface. One was set upon a frame some two feet high, with the smooth face upwards; the other was placed on this with the even face downwards, while, through an inch-hole in the center, was the grain fed by hand. Two holes drilled partly through each admitted an iron bolt, by means of which a long pole was attached, to its end was harnessed a horse, mule, or donkey, and the animal, being driven round in a circle, caused the stone to revolve. We are informed that these mills were capable of grinding a bushel of wheat in about twelve hours! Their vehicles and agricultural implements were quite as primitive, the cart in common use being framed in the following manner: The two wheels were sections of a log with a hole drilled or bored through the center, the axle being a pole sharpened at each extremity for spindles, with a hole and pin at either end to prevent the

wheels from slipping off. Another pole fastened to the middle of the axle served the purpose of a tongue. Upon this frame-work was set, or fastened, a species of wicker-work, framed of sticks, bound together with strips of hide. The beasts of burden were oxen, which were yoked with a stick across the forehead, notched and crooked so as to fit the head closely, and the whole tied with rawhide. The plow was a still more quaint affair. It consisted of a long piece of timber which served the purpose of a beam, to the end of which a handle was fastened; a mortise was next chiseled in order to admit the plow, which was a short stick with a natural crook, having a small piece of iron fastened on one end of it. With this crude implement was the ground upturned, while the branch of a convenient tree served the purposes of a harrow. Fences there were none so that crops might be protected; ditches were therefore dug, and the crests of the sod covered with the branches of trees, to warn away the numerous bands of cattle and horses, and prevent their intrusion upon the newly sown grain. When the crops were ripe they were cut with a sickle, or any other convenient weapon, and then it became necessary to thresh it. Now for the *modus operandi*. The floor of the corral into which it was customary to drive the horses and cattle to lasso them, from constant use, had become hardened. Into this inclosure the grain would be piled, and upon it the *manatha*, or band of mares, would be turned loose to tramp out the seed. The wildest horses, or mayhap the colts that had only been driven once, and then to be branded, would sometimes be turned adrift upon the straw, when would ensue a scene of the wildest confusion, the excited animals being urged, amidst the yelling of vaqueros and the cracking of whips, here, there, and everywhere, around, across, and lengthwise, until the whole was trampled, and naught left but the grain and chaff. The most difficult part, however, was the separating these two articles. Owing to the length of the dry season there was no urgent haste to effect this; therefore, when the wind was high enough, the trampled mass would be tossed into the air with large wooden forks cut from the adjacent oaks and the wind carry away the lighter chaff, leaving the heavier grain. With a favorable breeze several bushels of wheat could thus be winnowed in the course of a day; while, strange as it may appear, it is declared that grain so sifted was much cleaner than it is now, although manipulated by modern science.

The government of the native Californian was as primitive as himself. There were neither law-books nor lawyers, while laws were mostly to be found in the traditions of the people. The head officer in each village was the Alcalde, in whom was vested the judicial function, who received on the enactment of a new law a manuscript copy, called a *bando*, upon the obtaining of which a person was sent round beating a snare drum, which was a signal for the assemblage of the people at the Alcalde's office, where the Act was read, thus promulgated, and forthwith had the force of law. When a citizen had cause of action against another requiring the aid of court, he went to the Alcalde and verbally stated his complaint in his own way, and asked that the defendant be sent for, who was at once summoned by an officer, simply saying that he was wanted by the Alcalde. The defendant made his appearance without loss of time, where, if in the same village, the plaintiff was generally in waiting. The Alcalde commenced by stating the complaint against him, and asked what he had to say about it. This brought about an altercation between the parties, and nine times



Robert Blacow

out of ten the Justice could get at the facts in this wise, and announce judgment immediately, the whole suit not occupying two hours from its beginning. In more important cases three "good men" would be called in to act as co-justices, while the testimony of witnesses had seldom to be resorted to. A learned American Judge has said that "the native Californians were, in the presence of their Courts, generally truthful. What they know of false swearing or perjury they have learned from their association with Americans. It was truthfully said by the late Edmund Randolph that the United States Board of Commissioners to settle private land claims in California had been the graves of their reputations."

They were all Roman Catholics, and their priests of the Franciscan Order. They were great church-goers, yet Sunday was not the only day set apart for their devotions. Nearly every day in the calendar was devoted to the memory of some Saint, while those dedicated to the principal ones were observed as holidays; so that Sunday did not constitute more than half the time which they consecrated to religious exercises, many of which were so much in contrast to those of the present day that they deserve a short description.

The front door of their churches was always open, and every person passing, whether on foot or on horseback, did so hat in hand; any forgetfulness on this head caused the unceremonious removal of the sombrero. During the holding of services within, it was customary to station a number of men without, who at appointed intervals interrupted the proceedings with the ringing of bells, the firing of pistols, and the shooting of muskets, sustaining a noise resembling the irregular fire of a company of infantry.

In every church was kept a number of pictures of their saints, and a triumphal arch profusely decorated with artificial flowers; while, on a holiday devoted to any particular saint, after the performance of mass, a picture of the saint, deposited in the arch, would be carried out of the church on the shoulders of four men, followed by the whole congregation in double file, with the priest at the head, book in hand. The procession would march all round the town (if in one), and at every few rods would kneel on the ground while the priest read a prayer or performed some religious ceremony. After the circuit of the town had been made, the train returned to the church, entering it in the same order as that in which they had departed. With the termination of these exercises, horse-racing, cock-fighting, gambling, dancing, and a general merry-making completed the work of the day. A favorite amusement of these festivals was for thirty or forty men on horseback, generally two, but sometimes three on one horse, with their guitars, to parade the towns, their horses capering and keeping time to the music, accompanied with songs by the whole company, in this manner visiting, playing, and singing at all the places of business and principal residences; and it was considered no breach of decorum for men on horses to enter stores and dwellings.

Some of their religious ceremonies were very grotesque and amusing, the personification of "The Wise Men of the East" being of this character. At the supposed anniversary of the visit of the wise men to Bethlehem, seven or eight men would be found dressed in the most fantastic styles, going in company from house to house, looking for the infant Saviour. They were invariably accompanied by one

representing the devil, in the garb of a Franciscan friar, with his rosary of beads and the cross, carrying a long rawhide whip, and woe to the man who came within reach of that whip—it was far from fun to him, though extremely amusing to the rest of the party. The chief of these ceremonies, however, was the punishment of Judas Iscariot for the betrayal of his master. On the supposed periodicity of this event, after nightfall, and the people had retired to rest, a company would go out and prepare the forthcoming ceremonies. A cart was procured and placed in the public square in front of the church, against which was set up an effigy made to represent Judas, by stuffing an old suit of clothes with straw. The houses were then visited and a collection of pots, kettles, dishes, agricultural implements—in fact, every conceivable article of personal property was scraped together and piled up around Judas, to represent his effects, until in appearance he was the wealthiest man in the whole country. Then the last will and testament of Judas had to be prepared, a work which was accorded to the best scribe and the greatest wit of the community. Every article of property had to be disposed of, and something like an equal distribution among all the people made, each bequest being accompanied by some very pointed and witty reason for its donation. Among a more sensitive people, some of these reasons would be regarded as libelous. The will, when completed and properly attested, was posted on a bulletin board near the effigy, and the night's work was performed. As soon as sufficiently light the entire population, men, women, and children congregated to see Judas and his wealth, and to hear read, and discuss the merits of his will and appropriateness of its provisions. Nothing else was talked of; nothing else was thought of, until the church bell summoned them to mass; after which a wild, unbroken mare was procured, on the back of which Judas was firmly strapped; a string of fire-crackers was then tied to her tail, they were lighted, she was turned loose, and the ultimate fate of the figurative Judas was not unlike that which we are told occurred to his perfidious prototype.

The native Californians were a temperate people, intoxication being almost unknown. Wines and liquors existed in the country, but were sparingly used. In a saloon, where a "bit's worth" was called for, the decanter was not handed to the customer, as we believe is now the case, but was invariably measured out, and if the liquor was a potent spirit, in a very small dose; while a "bit's" worth was a *treat* for a considerable company, the glass being passed around from one to the other, each taking a sip. The following amusing episode in this regard, which occurred in the Pueblo de San José, in 1847, may find a place here. Juan Soto, an old gray-headed man and a great friend to Americans—for every one who spoke English was an American to him—had come into possession of a "bit," and being a generous, whole-souled man, he desired to *treat* five or six of his friends and neighbors. To this end he got them together, marched them to Weber's store, and there meeting —, who, tho' hailing from the Emerald Isle, passed for an American, invited him to join in the *symposium*. The old Spaniard placed his "bit" upon the counter with considerable *éclat*, and called for its value in wine, which was duly measured out. As a mark of superior respect he first handed it to —, who, wag that he was, swallowed the entire contents, and awaited the *dénouement* with keen relish. Soto and his friends looked at each other in blank amazement, when there burst out a tirade in their native tongue, the choice expressions in which may be more readily imagined than described.

There was one vice that was common to nearly all of these people, and which eventually caused their ruin, namely, a love of gambling. Their favorite game was *monté*, probably the first of all banking games. So passionately were they addicted to this, that on Sunday, around the church, while the women were inside and the priest at the altar, crowds of men would have their blankets spread upon the ground with their cards and money, playing their favorite game of *monté*. They entertained no idea that it was a sin, nor that there was anything derogatory to their character as good Christians. This predilection was early discovered and turned to account by the Americans, who soon established banks, and carried on games for their amusement especially. The passion soon became so developed that they would bet and lose their horses and cattle, while to procure money to gratify this disposition, they would borrow from Americans at the rate of twelve and a half per cent per *day*; mortgaging and selling their lands and stock, yea, even their wives' clothing, so that their purpose should be gratified, and many unprincipled Westerns of those days enriched themselves in this manner at the expense of these poor creatures.

Before leaving this people, mention should be made of their bull and bear fights. Sunday, or some prominent holiday, was invariably the day chosen for holding these, to prepare for which a large corral was erected (in San José) in the plaza, in front of the church, for they were witnessed by priest and layman alike. In the afternoon, after divine service, two or three good bulls (if a bull-fight only) would be caught and put in the inclosure, when the combat commenced. If there is anything that will make a wild bull furious it is the sight of a red blanket. Surrounded by the entire population, the fighters entered the arena, each with one of these in one hand and a knife in the other, the first of which they would flaunt before the furious beast, but guardedly keeping it between the animal and himself. Infuriated beyond degree, with flashing eye and head held down, the bull would dash at his enemy, who, with a dexterous side spring would evade the onslaught, leaving the animal to strike the blanket, and as he passed would inflict a slash with his knife. Whenever by his quickness he could stick his knife into the bull's neck just behind the horns, thereby wounding the spinal cord, the bull fell a corpse and the victor received the plaudits of the admiring throng. The interest taken in these exhibitions was intense; and, what though a man was killed, had his ribs broken, was thrown over the fence, or tossed on to the roof of a house; it only added zest to the sport, it was of no moment, the play went on. It was a national amusement. When a grizzly bear could be procured, then the fight, instead of being between man and bull, was between bull and bear. Both were taken into the corral, each being made fast to either end of a rope of sufficient length to permit of free action, and left alone until they chose to open the ball. The first motion was usually made by the bull endeavoring to part company with the bear, who thus received the first "knock-down." On finding that he could not get clear of Bruin, he then charged him, but was met half-way. If the bear could catch the bull by the nose, he held him at a disadvantage, but he more frequently found that he had literally taken the bull by the horns, when the fight became intensely interesting, and was kept up until one or the other was killed, or both refused to renew the combat. The bull, unless his horns were clipped, was generally victorious.

The custom of bull and bear fighting was kept up by the native Californians, as

a money-making institution from the Americans, until the year 1854, when the Legislature interposed by "An Act to prevent Noisy and Barbarous Amusements on the Sabbath."

The following anecdote in regard to it has been related to us, and may serve to vary the tedium of the reader. Shortly after the foregoing enactment became a law, great preparations were made for having a bull-fight, on the Sabbath as usual, at the old Mission of San Juan Bautista. They were notified by the officers of the existence of the new law, and that they must desist from the undertaking. Doctor Wiggins, a mission pioneer in California since 1842, was then residing at San Juan; he spoke Spanish fluently, and was looked upon as a great friend by the native Californians. He never smiled, nor appeared to jest—yet, he was the greatest tale-teller, jester, and punster on the Pacific Coast. In sallies of genuine wit he stood unequaled. In their perplexity about the new law, the Californians took counsel with the doctor; he examined the title of the Act with much seriousness and an air of great wisdom: "Go on with your bull-fights," was the doctor's advice; "they can do nothing with you. This is an Act to prevent noisy and barbarous amusements on the Sabbath. If they arrest you, you will be entitled to trial by jury; the jury will be Americans; they will, before they can convict you, have to find three things; first, that a bull-fight is noisy; this they will find against you; second, that it is barbarous; this they will find against you; *but an American jury will never find that it is an amusement in Christ's time.* Go on with your bull-fights." They did go on and were arrested, to find that the doctor had been practicing a cruel joke on this long-cherished institution. They were sentenced to pay a fine, and it was the last of the bull-fights. Thus passed away the only surviving custom of a former civilization.

In the year 1728 a Dane named Vitus Bering, was employed by Catherine of Russia to proceed on an exploring expedition to the northwest coast of America and Asia, to find, if possible, an undiscovered connection between the Atlantic and Pacific Oceans. On this voyage he solved the riddle and gave to the world the straits which now bear his name. On his return he tendered to the Empress the handsome skins which he had procured on his cruise, and so delighted was she, and so excited was the cupidity of capitalists from other countries, that soon settlements were established on the coast, and the collection of furs commenced. In 1799 the Russian American Fur Company was organized and located in what is now known as Alaska; Sitka was founded in 1805; and for many years the neighbors of the Russ were the Austrians and Danes. Now came the British. An association known as the King George's Sound Company was organized in London in 1784, for the purpose of making a settlement on the Pacific Coast, whither many of their vessels found their way up till 1790. Between the years 1784 and 1790, the coast was visited by ships of the East India Company, and about the last-named year craft of the United States were first seen in these waters.

The ship *Columbia*, Robert Gray, Captain, arrived at the Straits of Fuca, June 5, 1791, and traded along the coast, discovering the Columbia River, which he named after his vessel, May 7, 1792. In 1810, a number of hunters and trappers arrived in the ship *Albatross*, Captain Smith, and established the first American settlement on the Pacific Coast. In the same year, under the leadership of John Jacob Astor, the

Pacific Fur Company was organized in New York, and in 1811, they founded the present town of Astoria, at the mouth of the Columbia River. The British, however, soon after wrested it from their hands and drove all the Americans out of the country, many of whom found their way into California. Between the years 1813 and 1822, save deserters from vessels, and those connected with trading-posts, there were no Americans on the coast.

In his "Natural Wealth of California," Titus Fay Cronise informs us that from 1825 until 1834 the whole of the California trade was in the hands of a few Boston merchants. A voyage to this coast and back, during that time, was an enterprise of very uncertain duration, generally occupying two or three years. The outward cargo, which usually consisted of groceries and coarse cotton goods, had to be retailed to the missionaries and settlers, as there were no "jobbers" in those times, and neither newspapers, telegraphs, nor stages through which to inform customers of the ship's arrival. The crew had to travel all over the country to convey the news, which occupied considerable time. It was this portion of their duties that caused so many of them to desert their ships. They saw so much of the country, became so charmed with the freedom, ease, and plenty that prevailed everywhere, that they preferred to remain on shore. Each of these vessels generally brought several young men as adventurers, who worked their passage out for the privilege of remaining. Many of the early settlers, whose children are now among the wealthiest citizens of the State, came to California in this manner.

The outward cargo being disposed of, the homeward one had to be procured. Sometimes, when the season had been too dry, or too wet for the lazy vaqueros to drive the cattle into the missions to kill, there were no hides nor tallow to be had. On such occasions the vessel was obliged to remain till the next season, when a sufficient number of cattle would be slaughtered to pay for the goods purchased, as there was no "currency" used in the country, except hides and tallow.

First in California of an alien race to settle was John Cameron, but who had assumed his mother's maiden name of Gilroy, and was thus afterwards known. He was born in the county of Inverness, Scotland, in the district of Lochaber, in the year 1794, and in the year 1813 arrived in Monterey, in one of her Britannic Majesty's ships, on board of which he was rated as coxswain of the captain's gig. From here he deserted, with a comrade known as "Deaf Jimmy," and waiting, carefully hidden, until the vessel had departed, the two friends, in their search of employment, found their way into the Santa Clara Valley. Gilroy established himself at the little town of San Ysidro, now generally called Old Gilroy, in contradistinction to the new town of Gilroy, where he married and remained till his death, which occurred in July, 1869. His *confrère* came to the north of the bay, and died in Sonoma County. At this time there were not half-a-dozen foreign settlers in the whole country, save the Russians, who, it will be remembered, then occupied Bodega and Fort Ross, on the coast, while from San Francisco to Los Angeles there were only eight ranchos, the property of Mexican Colonists.

Prior to the year 1820 the manner of living was most primitive, and had it not been that horses were plentiful the mode of locomotion would have, of a necessity, been confined to pedestrianism, for, as there were no roads, there were no vehicles,

while the wheels of those which existed were innocent of felloe, spoke, hub, and tire. Not a hotel nor house of public entertainment was to be found throughout the length and breadth of the land, while there was no sawed timber, that used for building being hewn with axes by Indians. A fire-place or stove was unknown in a dwelling, nor did these come into use until 1846, after the American occupation.

The settlement of Alameda County may be said to have commenced some three-score years ago. In consideration of the distinguished and meritorious services of Don Luis Maria Peralta, a native of Tubec, Sonora, who had arrived with some compatriots at the presidio of San Francisco in the year 1776, and had subsequently commanded the garrison at the Pueblo de San José, was granted by Governor Don Pablo Vicente de Sola a tract of land five leagues in extent, and which has since proved to be the most magnificent grant ever made in California, and one of the most valuable estates ever granted to an individual as a reward for praiseworthy deeds. Topographically, it extended from the San Leandro Creek to the northwestern line of the county, and included the territory on which the town of Alameda and the city of Oakland with its suburbs have since risen. He married Maria Lolereto Alviso, a union that brought him five sons and five daughters, namely: Ygnacio, Domingo, Antonio Maria, Vicente; Teodora, who married Mariano Duarte; Trinidad, who married Mariano Castro; Josefa, Guadalupe, and Maria Luisa, who espoused Guillermo Castro.

Don Luis, however, never made his home in the family mansion built near the foot-hills of the Contra Costa Range, on the San Leandro Creek, but maintained his residence in Santa Clara County, where he owned another rancho, leaving the property in what is now Alameda County in possession of his sons who enjoyed it in common until August, 1842, when the father divided the estate into four equal parts, running imaginary lines from the bay to the hills, and allotted to José Domingo the northerly portion, being that on which Berkeley is now situated; the contiguous portion on the south, including the grove of oaks, then called the Encinal de Temescal (now the City of Oakland) he awarded to Vicente; to Antonio Maria, he gave that division immediately to the south, on which now stands East Oakland and Alameda; while Ygnacio took the southeasterly portion, on which stood the old homestead where he continued to reside.

Thus for years was the country between the Contra Costa County line and the San Leandro Creek without another resident save the Peralta family and their retainers, while their neighbors were the very few located at Yerba Buena, who were wont occasionally to make the perilous journey across the Bay to pay friendly visits to the solitary rancheros. Deep solitude reigned around them only broken by the howling of kine, or mayhap, the reverberating boom of cannon wafted over the waters from the presidio. But in 1846 premonitions of the coming change became observable, and as the months grew into years the transformation became complete. The Bear Flag had been raised by a few American settlers at Sonoma; war had been waged and peace declared between the United States and Mexico; California had become a portion of the Union; and the sun of the Mexican had set. The Peraltas had possibly thought that their broad acres would descend in one unbroken line from father to son, but such is the uncertainty of human calculation, that they soon found their fertile lands the envy of the covetous Anglo-Saxon who saw that these could be

made valuable for other than pastoral purposes, and in 1850, or shortly thereafter, the first encroachment was made upon the soil—the greater portion of the territorial patrimony of Domingo and Vicente Peralta was sold. In 1851, Don Luis Peralta died at the advanced age of ninety-three years, having lived long enough to have brought before him the unpleasant fact that he had once owned the most valuable tract of land in California but which was gradually melting away before his eyes. He left this world loved by his compatriots and respected by many Americans, believing firmly in the religious faith of his people. Previous to his demise he made a will confirming the partition of the Rancho San Antonio among his sons, and disposing of his personal effects. After his death, what was known as the "sister's title" was asserted to an interest in part of the San Antonio Grant, in consequence of which protracted litigation ensued, and in the controversy the will of Peralta, which we here produce, figured prominently.

"In the name of the most Holy Trinity, Father, Son, and Holy Ghost, three distinct persons and one only true God, and in the presence of the most Holy Virgin Mary, my Lady: of the glorious archangel St. Michael, St. Gabriel, and St. Raphael, my guardian and my protecting angel, and of my devotion, I, Luis Peralta, being in the entire use of my mental faculties, although of an advanced age, and bearing in mind the uncertainty of this mortal life, I do hereby make this my will in the best form, and declare it to be my last will and testament, and it is as follows:

"In the first place, I command my sons to have my body buried in the neighboring mission of Santa Clara, carrying it to the church, placing it upon the same hearse that is used for my fellow-men, the Indians; and that they, my sons, shall cause one low mass to be said of requiem, and afterwards, at the time of my burial, they shall cause to be said at the time as many responses as may be possible for the repose of my soul, for which they (my sons) shall pay alms, and afterwards proceed to the execution of my last will as follows:

"*Firstly.* I leave the house, my residence, in the the town of San José Guadalupe, with the orchard and fruit trees, all the land which appertains to and belongs to said orchard, and all the rest of the land contiguous to the said house, together with the appurtenances of this property, in favor of my two daughters, Maria Josefa Peralta and Maria Guadalupe Peralta, in full ownership and dominion, and I encharge these daughters to remain always together in peace and union, enjoying this property mutually as absolute owners thereof. Moreover, I declare, particularly, that everything that is in this house is my property, and as such I leave it to my above-mentioned daughters. The picture of St. Joseph and our Lady Guadalupe being for my said daughter Guadalupe, and the crucifix, and our Lady of Dolores for my daughter Maria Josefa. I command these two daughters to remain in peace, enjoying the property that I leave therein, but if, by marriage or other motive, either one of them should wish to separate from the other, then the two may make such agreement as they shall deem fit for this and for any other arrangement of their domestic affairs, or of their property of which they remain the owners and mistresses without ever being disturbed by any person, and may they remain always together, the one serving the other as her guardian angel, that God, our Lord, may preserve them from the storms of this world and from all ill-inclined persons.

"As regards the cattle belonging to me, that is to say, horned cattle, I declare that on the marriage of my children, Maria Teodora, Ygnacio, Domingo, and Trinidad, to each one were given two cows and calves, by reason of having just commenced the rearing of my cattle, but afterwards they received in gift more cattle, as they themselves can say, as they know how to speak the truth; also, in the year 1831 there were delivered to William Castro two hundred and thirty head of horned cattle, which were the marriage portion of his wife Maria Luisa Peralta, my daughter. Also, I repeat again, that there have been given to my daughters Maria Teodora, and Maria Trinidad, two hundred head of horned cattle, and to my son Ygnacio, three hundred head of cattle; and over and above those which have already been given to my son Domingo, I command that there be given to him one hundred head of cattle; I likewise command that out of the cattle in San Antonio and Temescal that shall be found to belong to me, there shall be given two hundred head to each one of my daughters Maria Josefa and Maria Guadalupe, and the remainder in Temescal shall belong to my son Vicente, and the remainder in San Antonio shall belong to my son Antonio Maria, and these two brothers shall take the charge of the cattle of these two sisters, Maria Josefa, and Maria Guadalupe. Inasmuch as I have already portioned out to my sons their respective lands, I declare that these lands comprehend all my property of the Rancho San Antonio, the title of whose concession and possession are in the hands of my son Ygnacio, and which lands I have already divided amongst my sons as a donation *inter vivos* to their entire satisfaction, and which donations by these presents I hereby ratify.

"I declare that I owe no man, and that Nazared Berryeza owes me fifteen dollars.

"I name as first executor of this, my will, my son Ygnacio Peralta, and my son Antonio Maria Peralta as second executor, that they, aided by the rest, may fulfill all that I have ordained.

"*Finally.* I command all my children that they remain in peace, succoring each other in your necessities, eschewing all avaricious ambition, without entering into foolish differences for one or two calves, for the cows bring them forth every year; and inasmuch as the land is narrow, it is indispensable that the cattle should become mixed up, for which reason I command my sons to be friendly and united.

"*Lastly.* I command all my children, sons and daughters, to educate and bring up their children in the holy fear of God, showing them good example, and keeping them from all bad company, in order that our Lord may shower upon them his blessings, the same which I leave to you, in the name of the Father, and the Son, and the Holy Ghost.

"I declare that this is my last will and testament, dictated by me, and written in my presence, read and signed by myself; and by these presents I revoke and annul all and every other will or wills, codicil or codicils, that I may have executed. I declare it or them null, and of no value in law or otherwise.

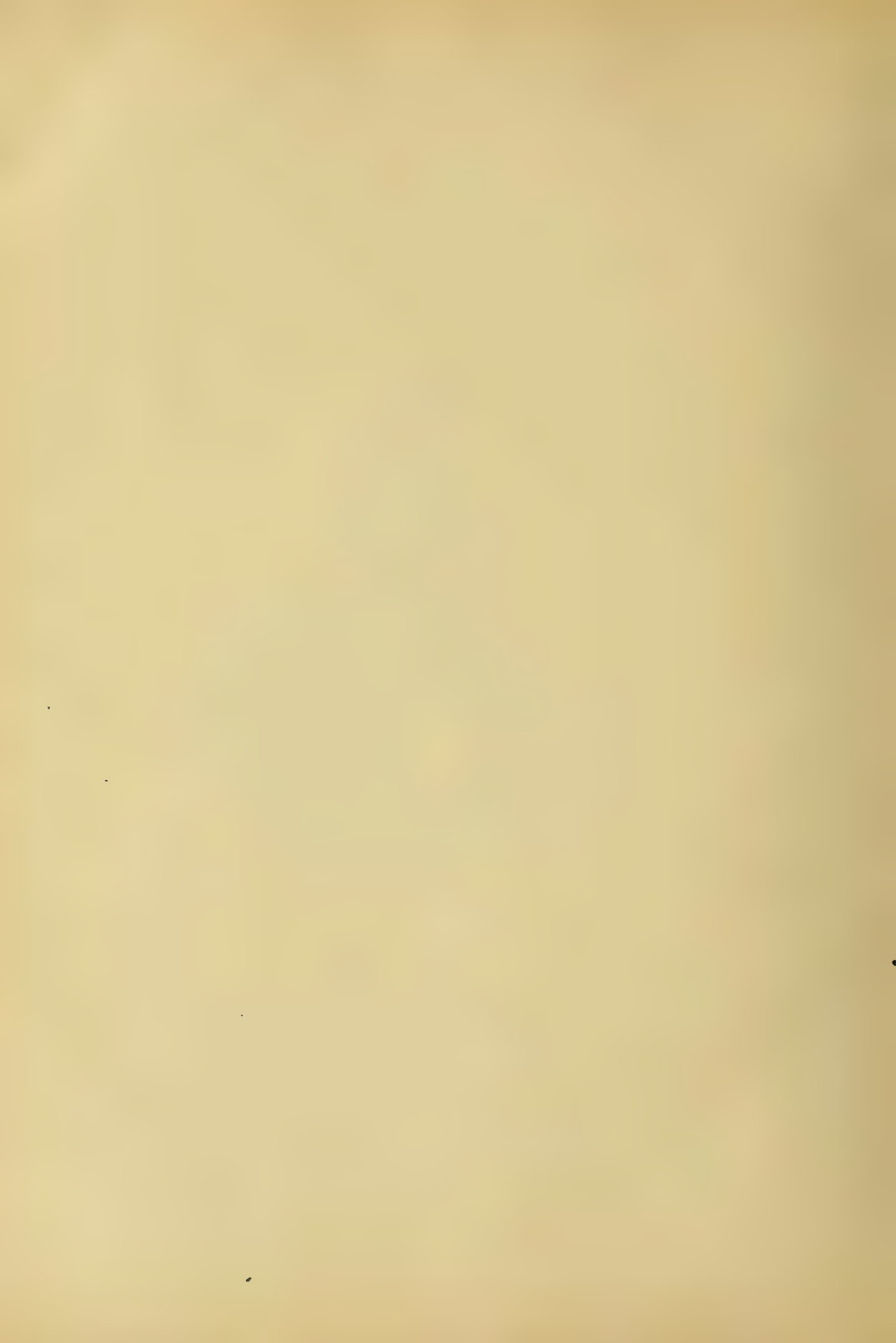
"In testimony whereof, I have hereunto placed my hand, this twenty-ninth day of April, one thousand, eight hundred and fifty-one, in the city of San José, and in presence of witnesses that I have called to serve as witnesses of this, my last will.

"JAMES ALEX. FORBES,
"PADRE JUAN NOBILE, } "Witnesses."
"DEMO DAMCO.

"LUIS MA. PERALTA. [seal.]



Socrates Huff



The second grant having connection with Alameda County was that known as Los Tularcitos to José Higuera, on October 4, 1821, and situated in this and the adjoining county of Santa Clara. Their residence stood on the land now occupied by Henry Curtner; indeed, a portion of the original adobe house is used by that gentleman as a stable.

A law of colonization was adopted in the year 1824, but the "General Rules and Regulations for the Colonization of the Territories of the Republic" did not come into force until 1828, and but one single Mexican grant was made anywhere in California between that time and the year 1833.

That our readers may have a proper idea of what manner of life these old Spanish *rancheros* led, we will give a description of an *establecimiento*. In front of the house was a court-yard of considerable extent, a part of which was sheltered by a piazza; here, when the *vaqueros* had nothing to call them to the field they would pass the day, looking like retainers on a rude court; a dozen or more wild, vicious-looking horses, with wooden saddles on their backs, stood ever ready for work, while, lounging about, the *vaqueros* smoked, played the guitar or twisted a new riata of hide or horse-hair. When the sun gets lower they go to sleep in the shade, while the little horses that remain in the sunshine do the same, apparently, for they shut their eyes and never stir. Presently a *vaquero*, judging the time by the sun, gets up and yawns, staggers lazily towards his horse, gathers up his riata and twists it about the horn of his saddle—the others, awakening, arise and do the same, all yawning with eyes half open, looking as lazy a set as ever were seen, as, indeed, they are when on foot. "Hupa! Anda!" and away they go in a cloud of dust, splashing through the river, waving their lassoes above their heads with a wild shout and disappearing from sight almost as soon as they are mounted. The *vaquero* wants at all times to ride at a furious gait, and the eyes of the little horses are open wide enough before they receive the second prod from the iron rowels of their riders' spurs.

In the olden and palmy days of the Spanish-Mexican *régime*, the *summa summarum* of the *dolce far niente* style of life of that age could be found at these *ranchos*. Cattle roamed at will over the hills and through the valleys, one of which was slaughtered daily to supply the wants of the *establecimiento*. Horses in great numbers bore the ranch brand, while extensive flocks of sheep and herds of swine formed a part of their princely possessions. Looms and spinning wheels were brought into requisition and the wool grown upon the sheep was washed, carded, spun, and woven into cloth, beneath the shelter of the ranch houses. The hides of the cattle were tanned, and boots and shoes made of the leather. The seasons came and went unheeded, and life was to those old Spaniards a near approach to the Utopian's dream. A summer's sun, set in a bright, ethereal empyrean, across whose rays not even a handbreadth's cloud ever passed to cast its shadow on the world, showered down a golden flood of radiant light to bless the happy days, while the winter's rains fell in copious showers, causing the grass to spring into luxuriant life over all the hills and dales, spreading as it were an emerald tapestry on every hand, full dainty enough for tread of fairy feet. But the dream ended, and sad, indeed, the awakening. From the lap of luxury they fell into the hungry arms of poverty, dying sad and broken-hearted. Gone were their flocks and herds, and the land on which they had roamed. Life,

which had been to them a hey-day of sunshine and gladness, was robbed of all that went to make it worth the living for, and to many of them death was a welcome guest, lifting the burdens and cares which had gradually settled upon their shoulders.

It has often been asked by the uninitiated, How came it that these vast possessions should have vanished in thin air? The question may be readily answered: With the "greedy, blue-eyed Saxon" came woe. He finds his way into the bosom of the unsuspecting family, and on the earliest opportunity temptingly exhibits a couple of thousands of dollars in gold coin; the wine circulates freely, with the oft-repeated "*bueno salud*," conversation becomes interesting and animated; the patriarch and his household are charmed with their new-found acquaintance, and artful and polished visitor. A loan of this couple of thousands is graciously proffered by this most liberal stranger; a little more wine is taken for the stomach's sake, with another "*bueno salud*" all round; the proffered loan is as graciously accepted, more to oblige the accomplished guest than for any possible need or use for the ready cash; a promissory note, written in English and already prepared beforehand, and made payable one day after date, and to bear interest at the rate of seven per cent. per month, to be compounded monthly, together with the usual accompanying death pledge upon that principality of square leagues, are mirthfully executed by the confiding, simple-minded, illiterate Spaniard, as if it were a passing jest! So much droll ceremony with reference to that mere trifle of money is light comedy to him, in the amusing programme of the day's entertainment. Time passes. Many months, and several years pass away. Where does that elegant gentleman keep himself? Why does he not come and get his money? Surely he is a most indulgent creditor! The illiterate Spaniard has no conception of the cumulative effect of interest compounded! Month after month pass away, and that insignificant financial comedy is scarcely remembered. Nearly four years have rolled away, and just now a polite notice is received, as coming from the Court, with reference to that forgotten subject. Of course there is nothing to be said by way of objection. It is all right. Why then should he trouble himself with giving any heed to it! That little affair of a couple of thousand dollars can be refunded any day. "Why does not the gentleman come and pay us another visit?" "Of course that little matter of money is ready for him any day." "He promised to come and see us again." Time passes. Nine years have gone round, and that paltry item of interest has regularly and steadily compounded one hundred and eight times, and that principal and interest have steadily rolled up to the immense amount of *two hundred and fifty thousand dollars*, a full quarter of a million! Then comes the auction sale. And there the prowling agent of the relentless creditor bids in those thirty-six square miles of land, without competition, for only one-half the enormous debt. And only now that happily dreaming Spanish family are startled and awakened as by an earthquake shock! The business is complicated, and needs the deft handling of financial ability. Redemption is impossible. And now a judicial final process is the closing act of the drama, and that splendid fortune of real estate comes under the dominion of the stranger. The patriarch and his numerous household are exiled from their home forever, while indigence and wretched want attend them as they scatter and wander away. This, surely is a most shocking change to them—a solemn, grievous change. The places that knew them well know them no more.

Thus, the once material element of California society has been eradicated, to be replaced by other nationalities of people. Let other men debate the question whether such a change has been for the better! Let the casuist render judgment whether such change has been effectuated by the divine rule of right! Let the candid soul and heart respond to the question whether it has been done by the square of honesty and honor.

The first Americans to make the overland journey to California were under the command of Jedediah S. Smith, of New York, a man of much energy and ability. In the spring of 1826 he and his party left the winter quarters of the Rocky Mountain Fur Company for the purpose of engaging in a spring and fall hunt. In the course of their wanderings they struck the source of the Green River, and followed it down to its junction with the Rio Grande, where the two form the Colorado, whence he took a westerly course and approached the Sierra Nevada, crossing which, in search of a more favorable point to continue his explorations towards the ocean, he unexpectedly discovered himself to be in the great central valley of California, near its southeastern extremity, thus being the first American who had entered the magnificent Sacramento and the San Joaquin Vales, and was also the first to see or explore the rivers falling into the Bay of San Francisco. The following winter, that of 1826, the hunting expeditions were continued on the streams flowing into the Tulare Lake, on the San Joaquin and its tributaries, and also on some of the lower branches of the Sacramento, and at the commencement of the summer of 1827 essayed to cross the Sierra to return, but owing to the height of the mountains and other obstacles which were encountered, was induced to leave the party in the valley; therefore he established his headquarters on that river near where the present town of Brighton, Sacramento County, now stands. While on this journey Smith pitched his tent, May, 1827, in the vicinity of the Mission San José, a proceeding that caused some inquiries to be instituted by Father Narcisce Duran, then in charge of that place. To these, on May 19, 1827, Captain Smith made the following reply, which should have gone far towards allaying the jealousy which then existed between the missionaries and foreigners, whom they considered as interlopers:—

“REVEREND FATHER: I understand, through the medium of one of your Christian Indians, that you are anxious to know who we are, as some of the Indians have been at the mission and informed you that there were certain white people in the country. We are Americans on our journey to the River Columbia. We came in at the Mission San Gabriel in January last. I went to San Diego and saw the General, and got a passport from him to pass on to that place. I have made several efforts to cross the mountains, but the snows being so deep I could not succeed in getting over. I returned to this place (it being the only point to kill meat) to wait a few weeks till the snow melts so that I can go on. The Indians here also being friendly, I consider it the most safe point for me to remain until such time as I can cross the mountains with my horses, having lost a great many in attempting to cross ten or fifteen days since. I am a long ways from home, and am anxious to get there as soon as the nature of the case will admit. Our situation is quite unpleasant, being destitute of clothing and most of the necessities of life, wild meat being

our principal subsistence. I am, Reverend Father, your strange but real friend and Christian brother.

J. S. SMITH."

It is needless to follow these intrepid hunters farther than this. Suffice it to say that having scaled the Sierra Nevada they met the severest hardships on their eastern slopes, and were compelled to retrace their steps into California, whence they found their way into the region of the Columbia River. They visited Monterey, Los Angeles, San Diego, and other places, thus escaping massacre with the rest of his party.

One of the survivors of the horrible butchery on the Rio Colorado remained in California. He was a blacksmith by trade and obtained employment as such at the missions of San Gabriel and San Luis Rey. His name was Galbraith, and while in the mountains, previous to his advent in California, was recognized as the most fearless of that brave class of men with whom he was associated. His stature was commanding, and the Indians were awed by his athletic and powerful frame, while the display of his Herculean strength excited the surprise of all. Many were the incidents that occurred in California during his residence, of which he was the principal actor. On one occasion, while employed at the mission of San Luis Rey, he became riotous while under the exciting influence of *aguadiente*, and was warned that unless he conducted himself with greater propriety it would be necessary to confine him in the guard-house. This served to exasperate instead of to quiet his unruly passions. A corporal with two men were ordered to arrest Galbraith. On their arrival at the shop, they found the follower of Vulcan absorbed in anathemas, which he was pouring forth in rapid succession against the reverend father, soldiers, and neophytes. Having delivered himself, he inquired what they wanted. On the corporal's replying that he had been sent to conduct him to the guard-house, Galbraith seized a sledge, and swaying it above his head rushed upon the soldiers, who, intimidated at the gigantic size of the blacksmith, whose broad and deep chest was swelling with infuriated passion, horror-stricken fled in dismay. With uplifted hammer he pursued them across the court of the mission, and to the guard-house in front thereof, where the affrighted corporal and soldiers arrived in hasty retreat among their comrades, closely pursued by the terrific mountaineer, who, alike fearless of Spanish soldiers as he had ever been of Indians, drove the trembling forces—a sergeant and twelve men—to their quarters, where he imprisoned them. He then hastily loaded a fine piece of artillery that stood in front of the quarters, with grape-shot, and directing its mouth towards the mission, and gathering up the arms which the soldiers in their confusion had abandoned, prepared to act as exigences might require. The priest, seeing the course events were taking, desired a cessation of hostilities, therefore he sent a messenger to open communications with the victor, who, from the sudden burst of passion had now cooled down, and the effects of the brandy being dispelled, with its removal his choler had subsided.

It is now our purpose to introduce to the reader some of the names of the early settlers in this region, of whom there were only a few, indeed, it is estimated that in the year 1830 there were not more than a hundred foreigners in the whole of Upper California. We have already mentioned John Gilroy and his comrade "Deaf Jimmy." In the year 1818, there arrived at Monterey another of those grand noblemen, cast in nature's mould, in the person of Don Antonio Suñol. His birthplace was Barcelona, in Spain,

but love for the French people induced him to enter their naval service and he was present when the First Napoleon surrendered as a prisoner before his exile to the island of St. Helena. In — he received the grant of that region which now bears his name and where some of his descendants still reside. He died in San José, March 18, 1865, having earned in life by his generosity, the respect of the entire community. In 1819 or 1820, it is said that James Pease, a native of the Orkney Islands, arrived in the country. He is still alive, and is principally to be found in Redwood City, San Mateo County. In 1820, our own Robert Livermore took up his abode in San José, and afterwards became the first foreign settler in what is now Alameda County. In 1822, Philip Doke, a block and tackle maker, who left a whaling vessel at Monterey, came to the rancho of Mariano Castro, near Gilroy, one of whose daughters he afterwards married; and about the same time a Dane named Mathew Fellom, landed from a whaler at either Bodega or Fort Ross, traversed the intervening space and located near Gilroy. He died in 1873. In the year 1828 there was an Englishman named William Willis living in the Pueblo de San José. In or about 1830, John Burton, who was Alcalde of San José during the occupation immediately following the cessation of hostilities between the United States and Mexico, came, and married a daughter of the land in the following year. In 1833, during the fall, Harry Bee came to San José from Monterey, where he had arrived in company with Doctor Douglass, a naturalist, in October, 1827. He was born in the parish of Westminster, London, England, and is still a resident of San José. In that same year there also came with the Hijas colonization expedition, William Gulnac, a native of Hudson City, New York, where he was born, August 4, 1801. In the year 1819 he sailed around Cape Horn and settled in Lower California, where he married Maria Isabel de Cassiña in 1825. He died July 12, 1851, having been *mayordomo* of the Mission San José for a considerable period. In this year, too, came James Alexander Forbes, afterwards Vice-Consul for Great Britain, who died in Oakland in May, 1881; and James Weekes, who served as Alcade of San José in 1847, who also died in May, 1881, at the residence of his friend Harry Bee in San José. In 1833 there were living at the rancho of Gilroy, John Milligan, and a watchmaker whose name is unknown, while at the Pueblo de San José were Nicolas Dodero, an Italian; John Price, an American; William Smith, better known as "Bill the Sawyer"; George Ferguson, still a resident of Mayfield, Santa Clara County; Thomas Pepper, *alias* Pimiento; William Welch, a Scotchman by birth, who obtained in 1844 a grant of three square leagues of land, called Las Juntas, on which a portion of Martinez, the County Seat of Contra Costa County is built; "Blind Tom" an English sailor; Charles Brown, who came to the country it is thought in 1829, and died in San Francisco in March, 1883; an Irish dragoon, a deserter from the British army; a man who went by the name of "Moche Dan"; Thomas Brown and William Daily. It is believed that by this time, or shortly afterwards, John Coppinger had established himself in the Pulgas Redwoods, near Woodside, San Mateo County. These are interesting facts which we may be pardoned for producing.

In the year 1835, thirty citizens, styling themselves as of the Ranchos of the North, that is of districts situated to the north of the Bay of San Francisco, presented the following petitions to the Governor, which are produced as being a portion of history

connected with Alameda County. It is an expression of the desire on their part to belong to the jurisdiction of San José, rather than that of San Francisco, and has been quaintly described as the "first of our county seat quarrels."

TO HIS EXCELLENCY THE GOVERNOR:—

"The residents of the adjoining ranchos of the north, now belonging to the jurisdiction of the port of San Francisco, with due respect to your Excellency, represent: That finding great detriment, and feeling the evils under which they labor from belonging to this jurisdiction, whereby they are obliged to represent to your Excellency that it causes an entire abandoning of their families for a year by those who attend the judiciary functions and are obliged to cross the bay. Truthfully speaking, to be obliged to go to the port by land, we are under the necessity of traveling forty leagues, going and coming back; and to go by sea we are exposed to the danger of being wrecked. By abandoning our families, as above stated, it is evident that they must remain without protection against the influences of malevolent persons; they are also exposed to detention and loss of labor and property, and injury by animals. There is no lodging to be had in that port, where, for a year, an *ayuntamiento* is likely to detain them, and, should they take their families, incurring heavy expenses for their transportation and necessary provisioning for the term of their engagement, there is no accommodation for them. Wherefore, in view of these facts, they pray your Excellency to be pleased to allow them to belong to the jurisdiction of the town of San José, and recognize a commission of justice that will correspond with the said San José as capital for the people in this vicinity; wherefore, we humbly pray your Excellency to favor the parties interested by acceding to their wishes.

ANTONIO MARIA PERALTA,	YGNACIO PERALTA,
JOAQUIN YSIDRO CASTRO,	BRUNO VALENCIA,
BLAS NARBOLS.	JOAQUIN MORAGA,
Z. BLAS ANGELINO,	RAMON FOVERO,
SANNAGO MESA,	JOSÉ DUARTE,
JUAN JOSÉ CASTRO,	FRANCISCO PACHECO,
CANDELARIO VALENCIA,	BARTOLO PACHECO,
JOSÉ PERALTA,	MARIANO CASTRO,
FERNANDO FELES,	FELIPE BRIONES,
ANTONIO AMEJAL,	JULIAN VELES,
JUAN BERNAL,	RAFAEL VELES,
MARCANO CASTRO,	FRANCISCO SOTO,
ANTONIO YGERCE,	FRANCO AMEJO.

"San Antonio, San Pablo, and the adjacent ranchos north, May 30, 1835."

Will the reader permit us to ask him to dwell upon the changes rung by time since that date. Seven and forty years ago the bay was indeed a veritable "sea of trouble" to those rancheros; it is now crossed in half the number of minutes that years have elapsed. Where there were no accommodations, the finest and best conducted hotels in the world have sprung up as if by magic, while travel by land has been rendered secure, inexpensive, comfortable, and expeditious. Such a wonderful transformation is hard to realize, but the facts speak for themselves.

In due course of time the document was received at Monterey. Let us follow it: Under date August 12, 1835, it was indorsed: "Let it be kept to be reported to the deputation." September 1st, it was docketed: "On this day the same was reported and referred to the Committee on Government," who, September 5th, reported as follows:—

"MOST EXCELLENT SIR: We, the Committee on Government, being required to report upon the memorial, with the parties subscribed thereto, made to the Political Chief on the 30th day of May last, find that the said memorial is grounded upon good reasons and public convenience; but as the subject should be considered upon proper reports for a due determination, the Committee is of opinion that the reports of the Ayuntamientos of the towns of San José and San Francisco are required for that purpose. Therefore, the Committee offers, for the deliberation of the most Excellent Deputation, the following propositions: 1st—that this *expediente* be referred to the Ayuntamientos of the towns of San José and San Francisco, in order that they report upon said memorial. 2d—That after which, the same be returned for determination.

"MAN'L JIMENO,

"SALVIO PACHECO."

"MONTEREY, September 10, 1835.—At the session of this day the most Exalted Deputation has approved the two propositions made in the report of the Committee on Government.

"MANUEL JIMENO."

"MONTEREY, September 28, 1835.—Let this *expediente* be forwarded to the Ayuntamiento of the town (*pueblo*) of San José Guadalupe, for a report upon the prayer of the foregoing memorial, and to that of San Francisco for the like purpose. The Ayuntamiento of the latter town will, moreover, give a list of the residents of the vicinity of the same. Don José Castro, senior member of the most Excellent Territorial Deputation, and Superior Political Chief of Upper California, thus commanded, decreed, and signed this, which I attest.

"JOSÉ CASTRO.

"FRAN'CO DEL CALSELLO NEGRETE, *Sec'y*."

"In pursuance of the foregoing Supreme Order of Your Excellency, this Ayuntamiento begs to state the following: That with regard to the residents on the northern vicinity, now under the jurisdiction of San Francisco, and who in their memorial prayed to be exempted from belonging to that jurisdiction, having indispensably to cross the bay, or to travel upwards of forty leagues; while on half their way they can come to this town (*pueblo*), under the jurisdiction of which they formerly were, which was more suitable and less inconvenient to them; this Ayuntamiento thinks that their prayer should be granted, if it is so found right.

"ANTONIO MA. PICO,

"JOSÉ BERRYESSA, *Secretary*."

"IGNACIO MARTINEZ.

"Town of San José Guadalupe, November 4, 1835."

In a response, or rather a remonstrance, the complaints of the petitioners were treated as frivolous by the Ayuntamiento of San Francisco, who rebuked them for their want of patriotism; and were asked if their service of having traveled a paltry forty leagues could bear the slightest comparison with those of others who had journeyed hundreds of leagues in the interior, and some who had gone on public service from San Francisco to San Diego.

With much indignation it asks: "Which are those Peraltas and Castros that have been wrecked on attending to their business affairs every time that any vessel comes to anchor in the Bay of Yerba Buena?" This document, which was signed by FRANCISCO DE HARO, and dated, Port of San Francisco, December 20, 1835, utterly repudiates that any such catastrophe had ever occurred, denies the lack of accommodation at the presidio, and strenuously urges the jurisdiction of San Francisco.

We now desire to note the arrival of another, and well-known pioneer, to the Contra Costa, as the whole of this region was then called.

Doctor John Marsh left the United States in the year 1835, proceeded to New Mexico, and after traversing a portion of Old Mexico, crossed the Colorado at its junction with the Gila, and entered Southern California. He afterwards traveled northward, and in 1837 purchased the Los Meganos Rancho, which has since been popularly known as the Marsh Grant. This tract of land, which he describes as being about ten miles by twelve in extent, he designated the Farm of Pulpunes, whence, in 1846, he indited a letter to Hon. Lewis Cass, which was first published in 1866 by the *Contra Costa Gazette*, to whose columns we refer the reader. In that communication he informs Mr. Cass that it had been usual to estimate the population of California at five thousand persons of Spanish descent, and twenty thousand Indians. This is declared to be an error, the actual number being, in round numbers, seven thousand Spaniards, ten thousand civilized or domesticated Indians, and about seven hundred Americans, one hundred English, Irish, and Scotch, with about a like number of French, Germans, and Italians. The Doctor further remarks: "Within the territorial limits of Upper California, taking the parallel of forty-two degrees for the northern and the Colorado River for the southeastern boundary, are an immense number of wild, naked, brute Indians. The number of course can only be conjectured. They probably exceed a million, and may perhaps amount to double that number. The far-famed missions of California no longer exist. They have nearly all been broken up, and the lands apportioned out into farms. They were certainly munificent ecclesiastical baronies, and although their existence was quite incompatible with the general prosperity of the country, it seems almost a pity to see their downfall. The immense piles of buildings and beautiful vineyards and orchards are all that remain, with the exception of two in the southern part of the territory, which still retain a small remnant of their former prosperity." He goes on to inform his friend of the salubrity of California's climate; its topographical beauties and advantages; its agricultural possibilities; its then commerce; its government, and the manners and customs of the Indians, all a valuable addition to the early history of California.

The Doctor established his residence in a small adobe building, not far from where he built the famous "Stone House," where he lived a most solitary life, having but few neighbors, whose homes averaged a distance from his of from twelve to forty miles.

In the first five years of the decade commencing with 1840 there began to settle in the vast California valleys that intrepid band of pioneers who, having scaled the Sierra Nevada, with their wagons, trains, and cattle, began the civilizing influences of progress on the Pacific Coast. Many of them had left their homes in the Atlantic



E. W. Byrne

and Southern States with the avowed intention of proceeding direct to Oregon. On arrival at Fort Hall, however, they heard glowing accounts of the salubrity of California's climate and the fertility of its soil; they, therefore, turned their heads southward and steered for the wished-for haven. At length, after many days of toil and anxiety, fatigued and footsore, the promised land was gained. And what was it like? The country, in what valley soever we wot, was an interminable grain field; mile upon mile, and acre after acre, wild oats grew in marvelous profusion, in many places to a prodigious height—one great, glorious green of wild, waving grain—high over head of the wayfarer on foot, and shoulder high with the equestrian; wild flowers of every prismatic shade charmed the eye, while they vied with each other in the gorgeousness of their colors, and blended into dazzling splendor. One breath of wind and the wide emerald expanse rippled itself into space, while, with a heavier breeze, came a swell whose rolling waves beat against the mountain sides, and, being hurled back, were lost in the far-away horizon; shadow pursued shadow in one long merry chase. The air was filled with the hum of bees, the chirrup of birds and an overpowering fragrance from the various plants weighted the air. The hill-sides, overrun as they were with a dense mass of tangled jungle, were hard to penetrate, while, in some portions, the deep, dark green of the forest trees lent relief to the eye. The almost boundless range was intersected throughout with divergent trails, whereby the traveler moved from point to point, progress being, as it were, in darkness, on account of the height of the oats on either side, and rendered dangerous in the valleys by the bands of untamed cattle sprung from the stock introduced by the mission fathers. These found food and shelter on the plains during the night; at dawn they repaired to the higher foot-hills to chew the cud and bask in the sunshine. At every yard coyotes sprang from beneath the feet of the *voyageur*. The hissing of snakes, the frightened rush of lizzards, all tended to heighten the sense of danger, while the flight of quail and other birds, the nimble run of the rabbit, and the stampede of antelope, which abounded in thousands, added to the charm, causing him, be he whosoever he may, pedestrian or equestrian, to feel the utter insignificance of man, the "noblest work of God."

The overland journey at the period of which we write was one more of discovery than certainty, the only well-ascertained points being then the Great Salt Lake and Humboldt River, known as St. Mary's. Of the two parties that left Independence, Missouri, May 6, 1841, the first was under the leadership of Robert H. Thomes, of Tehama, and traveled by St. Mary's, Ogden, and the Humboldt River; the second came by Santa Fé and the middle route to Los Angeles, and had as its chief William Workman, who died in Los Angeles in 1876. In the former, which numbered about thirty men, we find the names of Josiah Belden, Charles M. Weber (who died in Stockton in May, 1881), John Bidwell, and Grove C. Cook. In the year 1843 another party crossed the plains, among them being the late Major S. J. Hensley (who died in 1865), Julius Martin, Thomas J. Shadden, and Winston Bennett, the last three of whom brought their wives, the first foreign ladies to settle in the district comprised in the counties of Contra Costa, Alameda, and Santa Clara. In 1844 the Murphys came to the Santa Clara Valley; in 1845 William M. Mendenhall, now a resident of Livermore; and in 1846 John M. Horner and Hon. Elam Brown, of Con-

tra Costa, who was a delegate to the Convention which framed the first State Constitution, in September, 1849, and is one of the few surviving members of the "Legislature of a Thousand Drinks"—the first of the State of California, which had its session in San José.

No history of a section of the Pacific Coast would be complete without some relation of the tragic fate of Donner's party; we have, therefore, taken the liberty of reproducing, from Tuthill's "History of California," the following graphic description of their sufferings:—

"Of the overland emigration to California in 1846, about eighty wagons took a new route from Fort Bridger around the south end of Great Salt Lake. The pioneers of the party arrived in good season over the mountains; but Mr. Reed's and Mr. Donner's companies opened a new route through the desert, lost a month's time by their explorations, and reached the foot of the Truckee Pass, in the Sierra Nevada, on the 31st of October, instead of the 1st, as they had intended. The snow began to fall on the mountains two or three weeks earlier than usual that year, and was already so piled up in the pass that they could not proceed. They attempted it repeatedly, but were as often forced to return. One party built their cabins near the Truckee Lake, killed their cattle and went into winter quarters. The other (Donner's) party still believing that they could thread the pass, so failed to build their cabins before more snow came and buried their cattle alive. Of course they were soon utterly destitute of food, for they could not tell where the cattle were buried, and there was no hope of game on a desert so piled with snow that nothing without wings could move. The number of these who were thus storm-stayed, at the very threshold of the land whose winters are one long spring, was eighty, of whom thirty were females, and several children. The Mr. Donner, who had charge of one company, was an Illinoisian, sixty years of age, a man of high respectability and abundant means. His wife was a woman of education and refinement and much younger than he.

"During November it snowed thirteen days; during December and January, eight days each. Much of the time the tops of the cabins were below the snow level.

"It was six weeks after the halt was made that a party of fifteen, including five women, and two Indians who acted as guides, set out on snow-shoes to cross the mountains, and give notice to the people of the California settlements of the condition of their friends. At first the snow was so light and feathery that even in snow-shoes they sank nearly a foot at every step. On the second day they crossed the 'divide,' finding the snow at the summit twelve feet deep. Pushing forward with the courage of despair, they made from four to eight miles a day.

"Within a week they got entirely out of provisions, and three of them, succumbing to cold, weariness, and starvation, had died. Then a heavy snow-storm came on, which compelled them to lie still, buried between their blankets under the snow, for thirty-six hours. By the evening of the tenth day three more had died, and the living had been four days without food. The horrid alternative was accepted—they took the flesh from the bones of their dead, remained in camp two days to dry it, and then pushed on.

"On New Year's, the sixteenth day since leaving Truckee Lake, they were toiling up a steep mountain. Their feet were frozen. Every step was marked with

blood. On the second of January their food again gave out. On the third they had nothing to eat but the strings of their snow-shoes. On the fourth the Indians eloped, justly suspicious that they might be sacrificed for food. On the fifth they shot a deer, and on that day one of their number died. Soon after three others died, and every death now eked out the existence of the survivors. On the seventh all gave out, and concluded their wanderings useless, except one. He, guided by two stray friendly Indians, dragged himself on till he reached a settlement on Bear River. By midnight the settlers had found and were treating with all Christian kindness what remained of the little company that, after more than a month of the most terrible sufferings, had that morning halted to die.

"The story that there were emigrants perishing on the other side of the snowy barrier ran swiftly down the Sacramento Valley to New Helvetia, and Captain Sutter, at his own expense, fitted out an expedition of men and of mules, laden with provisions, to cross the mountains and relieve them. It ran on to San Francisco, and the people, rallying in public meeting, raised fifteen hundred dollars and with it fitted out another expedition. The naval commandant of the port fitted out still others.

"The first of the relief parties reached Truckee Lake on the 19th of February. Ten of the people in the nearest camp were dead. For four weeks those who were still alive had fed on bullock's hides. At Donner's camp they had but one hide remaining. The visitors left a small supply of provisions with the twenty-nine whom they could not take with them, and started back with the remainder. Four of the children they carried on their backs.

"Another of the relief parties reached Truckee Lake on the first of March. They immediately started back with seventeen of the sufferers; but, a heavy snow-storm overtaking them, they left all, except three of the children, on the road. Another party went after those who were left on the way; found three of them dead, and the rest sustaining life by feeding on the flesh of the dead.

"The last relief party reached Donner's camp late in April, when the snows had melted so much that the earth appeared in spots. The main cabin was empty, but some miles distant they found the last survivor of all lying on the cabin-floor smoking his pipe. He was ferocious in aspect, savage and repulsive in manner. His camp-kettle was over the fire, and in it his meal of human flesh preparing. The stripped bones of his fellow-sufferers lay around him. He refused to return with the party, and only consented when he saw there was no escape.

"Mrs. Donner was the last to die. Her husband's body, carefully laid out and wrapped in a sheet, was found at his tent. Circumstances led to the suspicion that the survivor had killed Mrs. Donner for her flesh and her money, and when he was threatened with hanging and the rope tightened around his neck, he produced over five hundred dollars in gold, which, probably, he had appropriated from her store."

Apropos to this dreary story of suffering, we conclude it by the narrative of a prophetic dream of George Yount, attended, as it was, with such marvelous results.

At this time (the winter of 1846-47), while residing in Napa County, of which he was the pioneer settler, he dreamt that a party of immigrants were snow-bound in

the Sierra Nevada, high up in the mountains, where they were suffering the most distressing privations from cold and want of food. The locality where his dream had placed these unhappy mortals he had never visited, yet so clear was his vision that he described the sheet of water surrounded by lofty peaks, deep-covered with snow, while on every hand towering pine trees reared their heads far above the limitless waste. In his sleep he saw the hungry human beings ravenously tear the flesh from the bones of their fellow-creatures, slain to satisfy their craving appetites, in the midst of a weird and gloomy desolation. He dreamed his dream on three successive nights, after which he related it to others, among whom were a few who had been on hunting expeditions in the Sierras. These wished for a precise description of the scene foreshadowed to him. They recognized the Truckee Lake. On the strength of this recognition Mr. Yount fitted out a search expedition, and with these men as guides, went to the place indicated, and, prodigious to relate, was one of the successful relieving bands to reach the ill-fated Donner party.

We now come to the eventful year of the discovery of gold, but in introducing the reader to the circumstances attending the finding of the precious metal, we would first desire to put him in possession of the fact, that the prevailing opinion that the first discovery of gold in California was that made at Sutter's Mill is an erroneous one, and must therefore give way to the evidence furnished by Mr. Able Stearns of its earlier discovery by some six years, in the vicinity of Los Angeles. Mr. Stearns has now been a resident of California nearly, if not quite, forty years, and is widely known as a man of unquestionable veracity. The following letter, stating some of the facts relating to the early discovery of gold, was furnished in response to a request of the Secretary of the California Pioneers:—

"LOS ANGELES, July 8, 1867.

"LUIS R. LULL, Secretary of the Society of California Pioneers, San Francisco -*Sir*: On my arrival here from San Francisco, some days since, I received your letter of June 3d, last past, requesting the certificate of the assay of gold sent by me to the mint at Philadelphia in 1842. I find by referring to my old account books that November 22, 1842, I sent by Alfred Robinson (who returned from California to the States by way of Mexico) twenty ounces California weight (eighteen and three-fourths' ounces mint weight) of placer gold, to be forwarded by him to the United States Mint at Philadelphia, for assay.

"In his letter to me, dated August 6, 1843, you will find a copy from the Mint assay of the gold, which letter I herewith inclose to you to be placed in the archives of the society.

"The Placer Mines, from which this gold was taken, were first discovered by Francisco Lopez, a native of California, in the month of March, 1842, at a place called San Francisquito, about thirty-five miles northwest from this city (Los Angeles).

"The circumstances of the discovery by Lopez, as related by him, are as follows: Lopez, with a companion, was out in search of some stray horses, and about mid-day they stopped under some trees and tied their horses out to feed, they resting under the shade, when Lopez, with his sheath-knife, dug up some wild onions, and in the dirt discovered a piece of gold, and searching further found some more. He brought these to town and showed them to his friends, who at once declared there

must be a placer of gold. This news being circulated, numbers of the citizens went to the place and commenced prospecting in the neighborhood and found it to be a fact that there was a placer of gold. After being satisfied most persons returned; some remained, particularly Sonorenses (Sonorians), who were accustomed to work in placers. They met with good success.

"From this time the placers were worked with more or less success, and principally by Sonorenses (Sonorians), until the latter part of 1846, when most of the Sonorenses, left with Captain Flores for Sonora.

"While worked there were some six or eight thousand dollars taken out per annum. Very respectfully yours, ABEL STEARNS."

It is also a fact fully established that the existence of gold was known to the aborigines long prior even to this date. Let us turn however, to that epoch which has earned for California the name of the Golden State.

Who does not think of '48 with feelings almost akin to inspiration?

The year 1848 is one wherein was reached the nearest attainment of the discovery of the philosopher's stone which it has been the lot of Christendom to witness. On January 19th, gold was discovered at Coloma, on the American River, and the most unbelieving and cold-blooded were, by the middle of spring, irretrievably bound in its fascinating meshes. The wonder is the discovery was not made earlier. Immigrants, settlers, hunters, practical miners, scientific exploring parties had camped on, settled in, hunted through, dug in and ransacked the region, yet never found it; the discovery was entirely accidental. Franklin Tuthill, in his "History of California," tells the story in these words: "Captain Sutter had contracted with James W. Marshall in September, 1847, for the construction of a saw-mill in Coloma. In the course of the winter a dam and race were made, but when the water was let in the tail-race was too narrow. To widen and deepen it, Marshall let in a strong current of water directly to the race, which bore a large body of mud and gravel to the foot.

"On the 19th of January, 1848, Marshall observed some glittering particles in the race, which he was curious enough to examine. He called five carpenters on the mill to see them; but though they talked over the possibility of its being gold, the vision did not inflame them. Peter L. Weimar claims that he was with Marshall when the first piece of 'yellow stuff' was picked up. It was a pebble weighing six penny-weights and eleven grains. Marshall gave it to Mrs. Weimar, and asked her to boil it in saleratus water and see what came of it. As she was making soap at the time, she pitched it into the soap kettle. About twenty-four hours afterward it was fished out and found all the brighter for its boiling.

"Marshall, two or three weeks later, took the specimens below and gave them to Sutter to have them tested. Before Sutter had quite satisfied himself as to their nature, he went up to the mill, and, with Marshall, made a treaty with the Indians, buying of them their titles to the region round about, for a certain amount of goods. There was an effort made to keep the secret inside the little circle that knew it, but it soon leaked out. They had many misgivings and much discussion whether they were not making themselves ridiculous; yet by common consent all began to hunt, though with no great spirit, for the 'yellow stuff' that might prove such a prize.

"In February, one of the party went to Yerba Buena, taking some of the dust with him. Fortunately he stumbled upon Isaac Humphrey, an old Georgian gold miner, who, at the first look at the specimens, said they were gold, and the diggings must be rich. Humphrey tried to induce some of his friends to go up with him to the mill, but they thought it a crazy expedition, and left him to go alone. He reached there on the 7th of March. A few were hunting for gold, but rather lazily, and the work on the mill went on as usual. Next day he began 'prospecting,' and soon satisfied himself that he had struck a rich placer. He made a rocker, and then commenced work in earnest.

"A few days later, a Frenchman, Baptiste, formerly a miner in Mexico, left the lumber he was sawing for Sutter at Weber's, ten miles east of Coloma, and came to the mill. He agreed with Humphrey that the region was rich, and, like him, took to the pan and rocker. These two men were the competent, practical teachers of the crowd that flocked in to see how they did it. The lesson was easy, the process simple. An hour's observation fitted the least experienced for working to advantage."

Slowly and surely, however, did these discoveries creep into the minds of those at home and abroad; the whole civilized world was set agog with the startling news from the shores of the Pacific. Young and old were seized with the California fever; high and low, rich and poor, were infected by it; the prospect was altogether too gorgeous to contemplate. Why, they could actually pick up a fortune for the seeking it! Positive affluence was within the grasp of the weakest; the very coast was shining with the bright metal, which could be obtained by picking it out with a knife.

Says Tuthill: "Before such considerations as these, the conservatism of the most stable bent. Men of small means, whose tastes inclined them to keep out of all hazardous schemes and uncertain enterprises, thought they saw duty beckoning them around the Horn, or across the plains. In many a family circle, where nothing but the strictest economy could make the two ends of the year meet, there were long and anxious consultations, which resulted in selling off a piece of the homestead or the woodland, or the choicest of the stock, to fit out one sturdy representative to make a fortune for the family. Hundreds of farms were mortgaged to buy tickets for the land of gold. Some insured their lives and pledged their policies for an outfit. The wild boy was packed off hopefully. The black sheep of the flock was dismissed with a blessing, and the forlorn hope that, with a change of skies, there might be a change of manners. The stay of the happy household said, 'Good-bye, but only for a year or two,' to his charge. Unhappy husbands availed themselves cheerfully of this cheap and reputable method of divorce, trusting to time to mend or mar matters in their absence. Here was a chance to begin life anew. Whoever had begun it badly, or made slow headway on the right course, might start again in a region where fortune had not learned to coquette with and dupe her wooers.

"The adventurers generally formed companies, expecting to go overland or by sea to the mines, and to dissolve partnership only after a first trial of luck, together in the 'diggings.' In the Eastern and Middle States they would buy up an old whaling ship, just ready to be condemned to the wreckers, put in a cargo of such stuff as they must need themselves, and provisions, tools, or goods that must be sure to bring returns enough to make the venture profitable. Of course, the whole fleet rushing

together through the Golden Gate, made most of these ventures profitless, even when the guess was happy as to the kind of supplies needed by the Californians. It can hardly be believed what sieves of ships started, and how many of them actually made the voyage. Little river-steamers, that had scarcely tasted salt-water before, were fitted out to thread the Straits of Magellan, and these were welcomed to the bays and rivers of California, whose waters some of them plowed and vexed busily for years afterwards.

"Then steamers, as well as all manner of sailing vessels, began to be advertised to run to the Isthmus; and they generally went crowded to excess with passengers, some of whom were fortunate enough, after the toilsome ascent of the Chagres River, and the descent either on mules or on foot to Panama, not to be detained more than a month waiting for craft that had rounded the Horn, and by which they were ticketed to proceed to San Francisco. But hundreds broke down under the horrors of the voyage in the steerage; contracted on the Isthmus the low typhoid fevers incident to tropical marshy regions, and died.

"The overland emigrants, unless they came too late in the season to the Sierras, seldom suffered as much, as they had no great variation of climate on their route. They had this advantage too, that the mines lay at the end of their long road; while the sea-faring, when they landed, had still a weary journey before them. Few tarried longer at San Francisco than was necessary to learn how utterly useless were the patent mining contrivances they had brought, and to replace them with pick and shovel, pan and cradle. If any one found himself destitute of funds to go farther, there was work enough to raise them by. Labor was honorable; and the daintiest dandy, if he were honest, could not resist the temptation to work where wages were high, pay so prompt, and employers so flush.

"There were not lacking in San Francisco, grumblers who had tried the mines and satisfied themselves that it cost a dollar's worth of sweat and time, and living exclusively on bacon, beans, and 'slap-jacks,' to pick a dollar's worth of gold out of rock, or river-bed, or dry ground; but they confessed that the good luck which they never enjoyed, abode with others. Then the display of dust, slugs, and bars of gold in the public gambling places; the sight of men arriving every day freighted with belts full, which they parted with so freely, as men only can when they have got it easily; the testimony of the miniature rocks; the solid nuggets brought down from above every few days, whose size and value rumor multiplied according to the number of her tongues; the talk, day and night, unceasingly and exclusively, 'gold, easy to get and hard to hold,' inflamed all new-comers with the desire to hurry on and share the chances. They chafed at the necessary detentions; they nervously feared that all would be gone before they should arrive.

"The prevalent impression was that the placers would give out in a year or two. Then it behooved him who expected to gain much, to be among the earliest on the ground. When experiment was so fresh in the field, one theory was about as good as another. An hypothesis that lured men perpetually further up the gorges of the foot-hills, and to explore the cañons of the mountains, was this: that the gold which had been found in the beds of rivers, or in gulches through which streams once ran, must have been washed down from the places of original deposit further up the mount-

ains. The higher up the gold-hunter went, the nearer he approached the source of supply.

"To reach the mines from San Francisco, the course lay up San Pablo and Suisun Bays, and the Sacramento—not then, as now, a yellow, muddy stream, but a river pellucid and deep—to the landing for Sutter's Fort; and they who made the voyage in sailing vessels thought Mount Diablo significantly named, so long it kept their company and swung its shadows over their path. From Sutter's the most common route was across the broad, fertile valley to the foot-hills, and up the American or some one of its tributaries; or, ascending the Sacramento to the Feather and the Yuba, the company staked off a claim, pitched its tent or constructed a cabin, and set up its rocker, or began to oust the river from a portion of its bed. Good luck might hold the impatient adventurers for a whole season on one bar; bad luck scattered them always farther up.

* * * * *

"Roads sought the mining camps, which did not stop to study roads. Traders came in to supply the camps, and not very fast, but still to some extent; mechanics and farmers to supply both traders and miners. So, as if by magic, within a year or two after the rush began, the map of the country was written thick with the names of settlements.

"Some of these were the *nuclei* of towns that now flourish and promise to continue as long as the State is peopled. Others, in districts where the placers were soon exhausted, were deserted almost as hastily as they were begun, and now no traces remain of them except the short chimney-stack, the broken surface of the ground, heaps of cobble-stones, rotten, half-buried sluice-boxes, empty whisky bottles, scattered playing cards and rusty cans.

"The 'Fall of '49 and Spring of '50,' is the era of California history which the pioneer always speaks of with warmth. It was the free and easy age when everybody was flush, and fortunes, if not in the palm, were only just beyond the grasp of all. Men lived chiefly in tents, or in cabins scarcely more durable, and behaved themselves like a generation of bachelors. The family was beyond the mountains; the restraints of society had not yet arrived. Men threw off the masks they had lived behind, and appeared out in their true character. A few did not discharge the consciences and convictions they had brought with them. More rollicked in a perfect freedom from those bonds which good men cheerfully assume in settled society for the good of the greater number. Some afterwards resumed their temperate and steady habits, but hosts were wrecked before the period of their license expired.

"Very rarely did men on their arrival in the country begin to work at their old trade or profession. To the mines first. If fortune favored, they soon quit for more congenial employments. If she frowned, they might depart disgusted, if they were able; but oftener, from sheer inability to leave the business, they kept on, drifting from bar to bar, living fast, reckless, improvident, half-civilized lives; comparatively rich to-day, poor to-morrow; tormented with rheumatisms and agues, remembering dimly the joys of the old homestead; nearly weaned from the friends at home, who, because they were never heard from, soon became like dead men in their memory; seeing little of women, and nothing of churches; self-reliant, yet satisfied that there was nowhere any 'show' for them; full of enterprise in the direct line of their business,



W^m Meek

and utterly lost on the threshold of any other; genial companions, morbidly craving after newspapers; good fellows, but short-lived."

Such was the maelstrom which dragged all into its vortex now thirty and more years ago! Almost the entire generation of pioneer miners who remained in that business have passed away, and the survivors feel like men who are lost, and old before their time, among the new-comers, who may be just as old, but lack their long, strange chapter of adventures.

We will now attempt to give the names of those gentlemen who settled in Alameda, for, with the discovery of gold, the whole world turned towards the mines to seek their fortunes, and as health gave way from exposure there, or fatigue caused the wish for a less wearying life to arise, they hied themselves unto the valleys whose fertility was now fully established, there to make homes and till farms, finer than which no country in the world can claim. Of course many names are omitted, not from any fault on our part, but rather from the fact that treacherous memory remembers them not; the dates are not so much those of their actual settlement, but as they were found by the parties with whom we have conversed.

1847.—Perry Morrison, William Morrison, Earl Marshall.

1848.—Simeon Stivers.

1849.—Peter T. Wilson, John F. Frese, George May, E. L. Beard, William P. Abbey, Thomas Goodale (or Goodall), Thomas W. Mulford, A. R. Biggs, Moses Weeks, E. M. Smith, W. C. Smith, Steve Smith, Robert Smith, — Solomon, Socrates Huff, C. Winton, and two Frenchmen on the Encinal named De Pachier and Le Maitre.

1850.—N. Greene Patterson, Jacob Patterson, Edson Adams, E. R. Carpentier, A. J. Moon, A. Marier, Robert S. Farrelly, William Tyson, Robert F. Patton, William Patton, Edward Patton, Calvin Valpey, Moses Chase, Ephraim Dyer, Gideon Aughinbaugh, H. C. Smith, W. W. Chipman, John L. Beard, H. G. Ellsworth, Ed. Niehaus, — Coombs, Joseph Nicholls, Origin Mowry and two brothers, John Neil, Zachariah Cheney, Charles Hanyon, L. P. Gates, John L. Wilson, John Threlfall, John Sweetser, Captain Bond, — Chamberlin, James Hawley, Jeremiah Fallon, Captain Roberts, Michael Murray.

1851.—John W. Kottinger, Robert Blacow, Antonio Fonte, William Hayes, William C. Blackwood, Hiram Davis, Augustus Johnson, James B. Larue, — Parker, M. Segrist, — Dean, John J. Riser, — Fuller and son, George W. Patterson, Dr. B. F. Hibbard, George W. Bond, — Parfait, Capt. S. Larkin, Joshua Wauhab, William M. Liston, Lewis C. Smith, Christian P. Hansen, Henry Smith, A. M. Church, Capt. John Chisholm, Doctor Buckland, Captain Richardson, Captain Nowell, John Wilson, Edward Carroll, — Wright, Thomas McLaughlin, Charles Ray, — Strickland, "The Scotch Boys," John Johnson.

1852.—James Beazell, Charles Hadsell, Calvin J. Stevens, F. K. Shattuck, N. J. Overacker, John Hall, Joseph Freeman, Isaac Freeman, Duncan Cameron, George Gaskins, Peter Olsen, D. A. Plummer, John W. Jamison, Louis Ettablow, Alexander Allen, Rev. W. Taylor, Harvey Taylor, Liberty Perham, Rev. A. H. Myers, Richard Threlfall, Henry Curtner, Daniel M. Sanborn, John T. Stevenson, E. S. Allen, — Finch, Joseph Ralph, Joseph Worrell, Joel Russell, — Scribner, George Simpson,

Joseph Scott, Victor W. Nuttman, Samuel Murdoch, Thomas W. Millard, Isaac M. Long, William Barry, — Tompkins, George M. Walters, H. K. W. Clarke, Nathaniel L. Babb, Edward Ross, Howard Overacker, Emery Munyan, Garrett S. Norris, Peter J. Campbell, William H. Cockefair, Edward Chauncey, W. Param.

1853. — James Hutchison, Cornelius Mohr, Thomas B. Smith, Michael Overacker, William W. McKenzie, John D. Brower, Joseph Dieves, Franklin Pancoast, William Newcomb, Henry Rogers, Capt. F. C. Coggeshall, Russell M. Rogers, Henry Smyth, — Mason, George S. Myers, H. A. Wickware, N. W. Palmer, Tim. Hauschildt, H. S. Barlow, David S. Smalley, Captain Miller, Frank Frietes, Hermann Eggers, John C. Whipple, Joseph F. Black, John McRae, J. S. Munoz, Jarel T. Walker, Luther E. Osgood, John Blacow, Farley B. Granger, John Proctor, James Emerson, John Buchanan, Abraham Harris, — McWilliams, William Ogden, — Trueworthy, Edward F. Burdick, Ebenezer Healey, John Whitman, J. West Martin, James W. Dougherty, Doctor Kampf, E. Clawiter, Christian Butsow, Lewis Brady, — King, Isaac Frank, — Peterson, Chris. Anderson, William Oatman, C. P. Hansen, Joseph De Mount, J. F. Elliott, John Huff, William Mahoney, E. D. Mann, Emmerson T. Crane, Leonard Stone, Rev. H. Durant.

1854.—H. H. C. Barlow, Col. Jack Hays, Richard T. Pope, Simon Zimmerman, Andrew J. McLeod, H. Hampel, John Mathew, Joseph B. Marlin, Joseph H. Taylor, Frederick Schweer, Jacob Schilling, John Taylor, Henry Dusterberry, William Wales, Z. D. Cheney, Sylvester P. Harvey, William H. Mack, Michael Ryan, August Heyer, August May, Elijah Foster, William Morgan, — Bain, Ezra Decoto, D. S. Lancey; and from the accompanying list furnished to us we find there were the following "squatters" in this year, all the signatures being genuine: W. R. Richardson, F. Pancoast, Fred. S. Smith, James Ford, A. Moon, Chas. W. Evans, Anthony Perry, John Howlett, Hiram A. Wickware, E. Saillot, H. K. W. Clarke, J. S. Tubbs, G. W. Gaskins, Lemoine Frères, W. L. Johnson, Aaron A. Ferguson, Felix Byrne, Murdock Nicholson, Michael Trombly, Lecomte Jean Jules, James F. Barnwell, H. L. Leffingwell, Samuel Chase, John Hagan, Rufus C. Vose, William Lunt, Laren Coburn, Jonathan Mulkey, C. H. Regné, Jonathan L. Marshall, Duncan Cameron, Henry C. Clark, Thomas Wheeler, William Shelly, Alphonse Gonnet, George Carpenter, A. Marier, Edson Adams, A. W. Barrell, A. Staples, Sargent Kelly, H. A. Brown, Moore & Chester, J. Miller O'Meara, Arthur Mathews, L. Hughes, Thos. Beale, Anto. Vidal, Louis Lamréi, A. François Xavier, Homer Horton, Alfred H. Osborn, John D. Brower, George Mahan, — Rudsdale, John McCorkey, F. P. Keefer, John Trendt, William Harwood, J. W. Cronkheite, C. Alexander Petersen, William Tullock, James Jamison, G. W. Parsons, John Chisholm, Seth K. Bailey, Frederick Van Horn, Jonathan Wells, William Ortman, George Heinsld, E. H. Keakley, John Huff, John J. Hardy, John B. Lock, William Perkins, George C. Wickware, B. F. Simms, Henry Bohlman, R. Christensen, O. F. Fay, George Fay, Darwin D. Mann, Patrick McDonald, Augustus Johnson, N. H. Wray, William F. Miller, Franklin Wray, William Watts, Peter Johnson, John Sturgis, R. S. Farrelly, R. T. King, Jacob Eversen, Riley H. Gragg, Samuel E. Spusling, E. A. Hawley, F. Maillot, B. Phillips, E. Clawiter, Christian Anderson, A. H. Smith, A. Ringle, Jr., James Beletsen, Calvin James, C. Shoe, Jerry Beeday, J. A. Hobart, L. LaGrange, George H. Everett, I. Sanford, George Mason, C. Shaw, W. L. Johnson, Samuel Moore, J. E. Otter, Daniel Tichnor, Charles Goodrich, John Bowman.

1855.—William M. Card, Hiram Bailey, Edward Hoskins, Abraham C. Brown, Peter Mathews, James Linfoot, Josiah H. Brickell, Joseph Graham, Richard Barron, Philip Thorn, William H. Healey, Frank Heare, James Taylor, — Hirschfeldter, Robert Gilmore, I. B. Haines.

1856.—Conrad Liese, Thomas Rafferty, John Lynch, Edmund Jones, William Knox, Otis Hall, Frederick Wrede, John Wille, Ferdinand Schultz, A. B. Montross, James A. Brewer, James Shinn, Henry F. Nebas, Comfort Healey, M. G. Higgins, — Deveney, John Martin, Dan. McMillan, Charles Stuzel, Frederick D. Arff, Diedrich Pestdorf, Edward Murphy.

1857.—John N. English, W. T. Lemon, E. H. Dyer, Howard S. Jarvis, Walter Baker, George W. Peacock, James Sinclair, Samuel K. Brown, Lewis Knox, Samuel Merritt, Andrew Peterson.

1858.—Maas Lueders, Hugh B. McAvoy, Edward Newland, Hiram Tubbs, Thomas W. Morgan, Bernard McAvoy, Joseph S. Emery, W. H. Miller, William Gibbons, Antonio Bardellini, John Green.

1859.—Adam Fath, Samuel Milbury, Jeremiah Callaghan, James Moffitt, Watkin W. Wynn, William Owen, James J. Stokes, David H. Beck.

1860.—Lysander Stone, William Meek, Columbus R. Lewis, H. Remillard, N. D. Dutcher, John W. Clark, Jacob F. Meyers, John Decoto, Adolphus Decoto, Nicholas Bergmann, Edwin A. Richmond, Jonathan E. Healey.

1861.—William M. Mendenhall, Daniel M. Teeter, W. W. Moore, Capt. Thomas Badger, Frederick Brustgrun, A. P. Rose, Israel Horton, Judge Nye.

1862.—O. W. Owen, Duncan Sinclair, A. W. Schafer, Ivan J. Tifoche.

1863.—John Booken, Amos S. Bangs, Hugh Bankhead, F. D. Hinds, J. A. Bilz, Alson S. Clark, Solomon Ehrman, B. T. Clough, Jacob Teeters, William Whittner, Doctor Goucher.

1864.—Dr. I. N. Mark, William B. Smith, Ives Scoville, Diedrich Buhsen, J. A. Rose, O. Whipple, Michael Rogan, Adam A. Overacker, — Powell, Manuel Ferreira.

1865.—Frederick Rose, Charles Rose, Martin Mendenhall, Peter Pumyea, W. B. Ingersoll, A. G. Lawrie, Capt. A. Milton, E. B. Renshaw, M. W. Dixon, F. C. Jarvis, Hugh Dougherty, Peter McKeany, C. A. Plummer.

In our township histories will be found all that is of interest appertaining to them, therefore we will spare the reader the infliction of repetition. The history of the city of Oakland which was first incorporated as a town, will be found fully given in its proper place. Its existence began before Alameda County was; indeed the same may be said of the other places in the county. In 1853 the Legislature created from out of Contra Costa and Santa Clara Counties, that of Alameda, and soon the official machinery was set in motion, the facts of which will be found in our Legislative history.

It will be curious in a general way to state the appearance of Alameda County in 1851. In that year of grace the triumvirate, Horace W. Carpentier, A. J. Moon, and Edson Adams appear on the scene and commenced their operations where now stands Oakland. Moses Chase and the Patten Brothers made their home where we now have that portion of East Oakland then called Clinton; the San Antonio redwoods were resounding to the noise of hundreds of axes and tens of saw-mills and

pits. Between there and the mission no residence was to be found save those of two or three Mexican rancheros. Where San Leandro now is the Estudillo family held dominant sway. An Indian rancheria occupied the locality of San Lorenzo; Haywards was the home of Guillermo Castro; behind the hills, José Maria Amador was lord and master; a howling wilderness was what has since become Mount Eden; what has now developed into New Haven was then the embarcadero for the mission; there were a very few settlers about Centreville; at Washington Corners, John M. Homer was alone; at the mission, Henry C. Smith had succeeded Chamberlin in his store, while there were a few foreign settlers and many natives; the famous Warm Springs were as yet an undiscovered boon to many but a few Indians and Californians, and the old chief Morgiana had still around him a few retainers; Sunol Valley was inhabited by a few of that name; Pleasanton, then called Alisal, had the Bernals and John W. Kottinger; and in Livermore Valley the little Englishman, Robert Livermore, was "monarch of all he surveyed." In that year James B. Larue had taken the first step towards founding the town of San Antonio, while many were the eager and hungry eyes that longed for so fair an inheritance. In the following year Chipman and Aughinbaugh laid out the town of Alameda; landings were established on all the creeks where a boat could float; in Brooklyn Township we had that of Damon and Clark; at San Lorenzo, Capt. John Chisholm and William Roberts were erecting warehouses; near San Leandro Moses Wicks, T. W. Mulford, Minor and William Smith, made a landing whence they shipped game to San Francisco; and last came that horde of squatters who located on every available piece of land.

The supply of game was practically unlimited as the following items will show. In February, 1852, Moses Wicks, T. W. Mulford, and the Smiths, sent to market, the fruits of their own guns, in that month, one hundred and twenty-five pairs of wild geese; fifty-three pairs of canvas-back ducks; sixty-nine pairs of small ducks; fifteen pairs of widgeons; forty-one pairs of spoonbills; twenty-seven pairs of teals; sixty-three pairs of broad-bill ducks; one hundred and ninety-two curlews; two hundred and seven plovers; forty-eight dowitchers; one hundred and fifty-six "peeps"; forty-eight snipe; and one rabbit, being in all fourteen hundred and twenty-three head, for which seven hundred and seventy-one dollars and eighteen cents were received.

In 1852 the region around Mount Eden was first located by John Johnson, Alexander Peterson, George N. Myers, Fritz Boehmer, Joel Russell, William Field, Charles Duerr, while William Hayward took up his residence where the pretty little town of that name now stands. By this time our good friend A. M. Church had commenced store-keeping in Alvarado; Centreville had an accession to its strength in the persons of William Blacow and John Threlfall, where others soon came; Ed Nichaus and his partner, L. P. Gates, were on the Tyson and Morrison tract who owned many miles of country between the mission and Niles. We find in that vicinity then the names of Beard, Breyfogle, Brier, and Broder, Chamberlin, Coombs, and Crane, Ellsworth, Haley, and Huff, Marston, Moore, and Palmer. Near the Agua Caliente Ranch were Clemente Columbet, Henry Curtner, T. W. Millard, G. W. Peacock. In the Amador Valley there had appeared Jeremiah Fallon and Michael Murray—indeed the county had progressed towards a rapid settlement and gave earnest of its present prosperity.

At the start settlers had considerable difficulties to contend with in the uncertainty

of land tenure and consequently were saddled with a great amount of litigation, the questions involved being chiefly between Government lands and Mexican grants, a far more serious matter than the encroachments of cattle and other like annoyances. Of the capabilities of the soil they were entirely ignorant, as they were also of the proper mode of cultivation to be pursued. What might be a remunerative crop one year, the next might prove an utter failure, and under this uncertainty many lost heart and forsook the plowshare for the pick and shovel at the mines, hoping there to replenish their depleted coffers. The price of the articles they required was very high, while the markets were in a perpetual state of fluctuation. The wages asked were ruinous, farm hands demanding four dollars a day, while to add to their grievances several of the settlers were forced to pay twice for their land ere they could feel themselves undeniable proprietors, and were the individual a renter, then one-half of his yield was expected as payment. The most profitable crops were wheat, barley, potatoes, and onions. The sowers of barley, in 1851, reaped twelve and a half cents per pound when sold in the spring; those who planted potatoes in 1852, amassed competencies, which, in the following year were lost by the cultivation of the same commodity. Immense quantities were raised by John M. Homer in both years, in the first year realizing as much as a thousand dollars per acre; in the second year they did not pay the outlay for sacks and were allowed to rot in the fields. However, the crop of wheat in 1853 was prodigious, in many cases seventy-five bushels to the acre, and fully made up for the loss in tubers. So weighty were the heads that the entire crop had to be cut by hand and after threshing realized eight and a half cents at the mill. Having mentioned the subject of flour-mills we may state that in 1850 there was a very crude one at Niles, the property of J. J. Vallejo, and in 1852, one was built at the mission by E. L. Beard and H. G. Ellsworth. In 1853, however, Mr. Vallejo built a larger one on the site of that already mentioned, run by water power, while in the same year J. M. Homer put up a steam mill at Alvarado—the one that was afterwards moved to Livermore by Calvin J. Stevens. It may be stated in the connection of agriculture, that the first blacksmith's shop in the county was erected in 1853 by John Boyle at San Lorenzo and was the germ from which has since sprung the extensive agricultural works there.

In the year 1854 Oakland became a city, and craved for the honors of being county seat, but the public voice elected that it should remain at Alvarado, notwithstanding that its location there was attended with many disadvantages. By this time the population had considerably augmented and stores for their convenience had been established at Centreville, by Captain Bond; at Brooklyn, by — Lacey. H. C. Smith had left the mission and joined issues with A. M. Church at Alvarado, and Oakland boasted more than half a dozen.

On the night of February 13, 1855, the County Treasurer's office at Alvarado was entered and the safe in which were deposited the county funds opened, and the money, between eleven and twelve thousand dollars, stolen. This robbery is elsewhere more fully described, while it is believed to have been effected by some one that was perfectly familiar with the premises. In this same month the Court House at San Leandro, the former residence of the Estudillo family, was discovered to be on fire, and as there were no means at hand for extinguishing the flames, it was

entirely consumed. The county records and other valuable papers were saved, but the entire loss was estimated at from six to eight thousand dollars. In this month the District Court held its first session in San Leandro, but its business was considerably retarded by this untoward event, the Court being under the necessity of adjourning until suitable accommodation could be provided. The fire was supposed to be the work of an incendiary, instigated either by revenge excited by the removal of the county seat from Alvarado, or jealousy on the part of some neighboring town that aspired to the honor. If this be true, 'tis a sad and humiliating reflection on the weakness of human nature.

We have mentioned above the subject of "squatters," but it should have been said that in 1853 they associated themselves in order to protect what they thought to be their interests. To this end the following rules, which explain themselves, were adopted:—

"We, the undersigned, citizens of Alameda County, and settlers upon what are supposed to be the public lands belonging to the United States, within said county, believing that we can more effectually guard our interests as such settlers by mutually supporting and protecting each other: Therefore form ourselves into an association and adopt the following as the fundamental rules of our government:—

"*First.*—This association shall be known as 'The Pre-emptioner's League.'

"*Second.*—The object of this association shall be mutual support and protection in the defense of our pre-emption claims.

"*Third.*—The officers of this association shall be a President, two Vice-Presidents, a Secretary and Treasurer, and such temporary officers and agents as from time to time may, in the sound discretion of the association, be found necessary.

"*Fourth.*—It shall be the duty of the President, or, in case of his absence, any one of the Vice-Presidents, to preside at all meetings of the League.

"*Fifth.*—It shall be the duty of the Secretary to keep a full and fair record of all the proceedings of the League, and, when notified by the President, to call all meetings of the League.

"*Sixth.*—It shall be the duty of the Treasurer to receive and safely keep all the funds belonging to the League, and to keep a correct account of all moneys by him received and expended for the League, and from time to time, as the League may require, report to this League the condition of the treasury.

"*Seventh.*—It shall be necessary for the Treasurer, before acting upon the duties of his office, to make and execute a bond, to be approved by the President of the League, in the sum of five thousand dollars, conditioned upon the faithful discharge of his duties as such Treasurer; said bond shall be made payable to the Secretary of the League, and by the Secretary deposited with the President of the League.

"*Eighth.*—All bills against this League shall be presented to the President, and if by him allowed to be just charges against the League, shall be paid by drafts on the Treasurer, said drafts to be drawn and signed by the President and counter-signed by the Secretary.

"*Ninth.*—Every person, to become a member of this League, must be a settler within the county of Alameda; must pay five dollars into the treasury, and subscribe

to the following obligation, to wit: We, the undersigned, do solemnly agree, and by these presents bind ourselves, each to the other, and all to each one, that individually we will make no overtures to the land claimants for a settlement of our difficulties with them, and will reject all such as may be made to us by them until such overtures shall have been submitted to and approved by this League; that we will contribute equally of money in support of this League, and at all times hold ourselves in readiness to aid and assist each other to defend our homes and farms from the grasping avarice of the land speculators."

To this document one hundred and nine names were signed, who each paid the sum of five dollars. The machinery of the association was soon put in motion, the proper officers appointed, and thenceforward meetings regularly convened, and minuted in somewhat grandiloquent strains, as may be gathered from the following excerpt from a record book kindly placed at our disposal: "County Convention held at the rancho of W. R. Richardson, on October 29, 1853: The sun shone gloriously, as if heaven smiled on our cause, and the old cannon, 'The Squatter,' belched forth its thunders, calling together the farmers around. On every side could be seen the hardy pedestrian and horseman, and four-horse teams with the 'Stars and Stripes' floating gaily in the breeze. As they reached the ground three hearty cheers welcomed their arrival. After a friendly interchange of sentiments the President took the chair and called the meeting to order, etc." This is an introduction worthy of the lamented novelist, G. P. R. James, whose inevitable "two horsemen" paved the way to the romances that were wont to thrill our bosoms in our more youthful days.

Reminiscences of long ago are ever full of pleasure or of pain; but more deep the pain where man's blood has been shed to avenge a fancied wrong. Unhappily, the so-called "code of honor" was too much in vogue in the early Californian days, and too often friend met friend in deadly combat. The incident we are about to relate describes how two men whose love for each other was like that of Jonathan to David, became maddened by jealousy and poured out each other's blood.

Four-and-thirty years ago, the spot on which Oakland now stands was almost an unbroken solitude. The shores of Lake Merritt, where now broad avenues, lined with stately mansions, adorn and beautify the thriving and populous city, was then a wilderness of trees and undergrowth, save here and there an open glade of a few acres in extent. The whole of the territory embraced within the present city limits could not boast of more than half a dozen dwellings, scattered along the margin of the bay, from the creek to the Point. On the 24th of December, 1849, the echoes of these silent woods were awakened by the sharp report of fire-arms, the green sward of one of these openings stained with human blood, and the lives of two intelligent beings went out forever from the joys and sorrows of earth to test the mysteries of the hereafter. On a spot near where Twelfth Street Bridge now spans the estuary a tragedy was enacted that beautiful winter morning that never became known beyond the few intimate friends of the actors, but which carried mourning and lamentation into two happy Southern homes on the banks of a far-off Southern river. Companions in boyhood, college chums in youth, and devoted friends in early manhood, these two men had met that holy Christmas Eve, with dire hate in their hearts, determined to take each other's life. It was the old, old story of rivalry for the hand of a beau-

tiful maiden, which had grown into jealousy and ripened into an all-absorbing passion for revenge. The love of excitement and wild adventure had brought them to California, one by the way of the Isthmus and the other overland, and, meeting in San Francisco, a trivial occurrence kindled the smouldering embers into a fierce flame that nothing but blood could quench. With a few selected friends they both crossed the bay in a small boat, and, rowing up the creek until a favorable spot was reached, disembarked. Their positions taken at ten paces, the word given, and each lay prostrate on the ground, one shot through the heart, the other with a bullet in his brain. Silently their earthly remains were lifted into the boat, and side by side in death's grim embrace were they conveyed to San Francisco, where they were quietly buried, and the world moved on as though nothing had transpired outside of the usual course. Thus ended Alameda County's first duel, but unfortunately not its last. Two of these others we have described elsewhere.

There are many "beautiful spots" throughout the world, from the gorgeous Orient to the brilliant Occident—

"Where the rivers wander o'er sands of gold,
Where the burning rays of the ruby shine,
And the diamond lights up the secret mine,
And the pearl gleams forth from the coral strand."

We doubt if the sun-light reveals any more eloquent in natural beauty, or richer in natural resources than our own Contra Costa, the "opposite coast" of the first Spanish settlers. It stretches for more than forty miles along the waters of the splendid San Francisco Bay, and diagonally opposite the city of the same name—the marvel of the age—the reality that rivals romance, before which the magicians' wands become powerless—"they cannot do so with their enchantments." Verily, we live in a marvelous age, when the wildest dreams of imagination fall within the limits of the actual. If our capabilities keep pace with our experiences, the poet is yet to be who can tell us of our future.

But will the reader journey with us to the summit of the Contra Costa Range and place himself in the position thus described by Byron:—

"A king sat on the rocky brow,
That looks o'er sea-born Salamis
And ships by thousands lay below—"

And here he will find himself the center of a circle which has for its radius more than eighty miles. The long chain of mountains visible in the far-away east is the Sierra Nevada Range, white with eternal snow. There the grizzly bear makes his home and the fearful avalanche falls; but within these rock-ribbed mountains, girdled with ice, are untold riches deposited for future generations. See! Before lies the grand panorama of the Great Artist, spread out in all its perfection of beauty and sublimity. That passage of water to the right, running in a northerly direction is the Straits of Carquinez, through which our river steamboats distribute wealth and happiness to the fertile uplands of the north. In the southern distance lies the city of San José, shining like a brilliant constellation in the morning sunbeams. Mount San Bruno, enveloped in amber haze; the glittering hills of our Ocean City, and the Golden Gate limit our western prospect. In the east the sun is shining brightly above the Sierra Nevada, pouring a flood of golden light upon



Lysander Stone

the scene. The *tout ensemble* of the picture is sublime beyond description and is no less beautiful in detail. Before us the magnificent Bay of San Francisco, bordered by sunny slopes, abrupt steeps and evergreen woodlands is floating in graceful curvatures, away in the dim distance. The silver arteries flow brightly through the valley, imparting life to business and vitality to the vista. Along its margin, nestling among the grateful shade, see the flourishing towns of Oakland and Alameda; farther south on the border of a navigable stream are to be discerned the villages of Alvarado and Union City, while beyond is the quaint old Mission of San José. These places are all connected by steam and the finest roads in the State, over which vehicles can progress with almost railroad speed, rendering drives through any section of this valley, an unalloyed pleasure. How full of busy human life is this valley, which, thirty years ago, was covered only with grazing herds and an occasional adobe. It presents a checkered scene as well, emblematic of life. The farmers plow their land in squares, and the rich, dark loam, just seeded, forms a striking contrast with the bright green of progressed vegetation.

The form of the valley is oval, the length stretching north and south. It appears from the heights to be an amphitheater, surrounded by hills with no open view to the ocean save through the Golden Gate at the west, which gives it the appearance of having been the bed of an inland sea; as has been mentioned before, and the peculiar character of the soil justifies this idea. The natives hold a pretty tradition to this effect: They tell us that "many years ago" the surrounding mountains were the walls of a great sea, but the Storm-King came in wrath and maddened the waves, driving them furiously against the rock-bound shore, when the father of waters opened the Golden Gate and received them into his peaceful bosom.

Those masses of unshapen rocks that crouch upon the bosom of the ocean, far out from the Golden Gate, are the barren Farralones. Ah! A splendid clipper is entering under a press of sail—a perfect sea-bird,

"She walks the water like a thing of life,"

And brings to our shores the products of every clime: God bless the sailors! A steamship follows close upon her track, with teas from Sinim's Land. And what is this trail of smoke along the shore? It is the line left by the swift-winged cars, bringing news from the Eastern States and Europe—news from the dear ones we left in the dear old homes of our childhood-time-proved friends, with hearts as true and tried as steel, and as warm as ever.

After this digression we will take up the thread of our chronicles and state that on July 24, 1858, the Alameda County Agricultural Society was formed, the gentlemen signing the Constitution being H. C. Smith, Dr. H. Gibbons, A. H. Myers, Harry Linden, W. W. Moore, J. M. Moore, R. Blacow, Alfred Lewelling, P. J. Campbell, Frank F. Fargo, H. Lewelling, G. W. Fountain, Mark T. Ashley, F. K. Shattuck, S. Shurtleff, Isaac B. Ruimford, E. Wilson, Hiram Keeney, J. Blacow, W. H. Davis, John B. Ward, J. L. Wilson, D. E. Hough, E. S. Chipman, C. C. Breyfogle, J. A. Lent. The benefit of such societies was dilated on by J. Silver, of Philadelphia, while it was decided to hold semi-annual fairs, one in the spring, for the display of flowers, early grains, and the products of the horticulturist; and the other in the autumn, for the exhibition of stock, general farming produce, late fruits, and vegetables, and

such other articles that could be shown to greater advantage at this season of the year. The first officers were, A. H. Myers, President; H. C. Smith, F. K. Shattuck, Vice-Presidents; E. S. Chipman, Secretary; Frank F. Fargo, Treasurer; Robert Blacow, Alfred Lewelling, Directors.

In this year, 1858, the Warm Springs first attracted attention as a place of fashionable resort, and on July 29th were opened by Alexander Beatty, with a grand ball. They had been originally utilized by Clemente Columbet, who moved a house all the way from San José to the spot. After 1858 the Springs were much affected by the world at large, but since their purchase by ex-Governor Leland Stanford, their pristine uses have been abandoned.

The following is an abstract of the annual report made by Rev. J. D. Strong, on November 23, 1861, to the State Superintendent of Instruction:—

Children from four to eighteen years of age.....	1828
More boys than girls.....	111
Increase during the year.....	204
Children under four years.....	1076
Under twenty-one years.....	2997
Born in California.....	1765
Deaf and Dumb.....	3
Blind.....	1
Scholars enrolled in the Public Schools.....	772
Average daily attendance.....	437
Number of schools.....	22
Teachers employed during the year.....	32
Average salary per month.....	\$61 00
Average number of months the schools were open.....	7 $\frac{3}{4}$
School Fund received from State.....	\$2,130 00
Received from County.....	\$5,417 00
Raised in the districts.....	\$2,324 00
Total expenditure during the year.....	\$9,986 00
Average for each pupil enrolled.....	13

“The amount raised in the various districts by voluntary subscription is as follows: Alvarado, one hundred and eighty-two dollars; Union, two hundred and eighty-seven dollars; Eureka, two hundred and twenty-eight dollars; Lockwood, two hundred dollars; Centreville, one hundred and ninety-four dollars; Ocean View, one hundred and forty-four dollars; Alviso, one hundred and seven dollars; Alameda, one hundred and six dollars; Mission San José, San Lorenzo, Redwood, and Temescal, raised less than one hundred dollars each, while Murray, Peralta, Edenvale, Oakland, and Brooklyn, depended entirely upon the public fund. The amount thus raised by the districts this year is only one-half as large as that raised during the previous year, and the average expenditure per scholar is also less. The Union, Brooklyn, Oakland, Murray, and Ocean View schools were maintained ten months or more; the Mission, nine months; the Alvarado, San Lorenzo, Alameda, and Murray's Landing, eight months; the Lockwood and Eureka, seven months; the Alviso, five months; and the Redwood, Temescal, and Peralta, four months.

“There are three times as many male teachers as female in the county; the average length of the schools is greater this year than last, but the average salary paid for teaching is less, and the average attendance on the schools less. All except three

or four of the teachers have had from three to twenty-one years' experience in teaching, and nine intend to devote themselves to the profession for life.

"The school-houses in the county generally, are unfit for use. With three or four exceptions, a humane man would feel that they were scarcely fit to shelter his animals. Too small, badly constructed, worse furnished, and unpleasant in every way, they cannot but have a sad influence over the tastes and feelings and character of those whom they are assisting to educate. Those in Oakland, Brooklyn, and Alameda, are especially inadequate to meet the wants of the scholars—Oakland and Brooklyn each need a school building adapted to a graded school. Oakland especially with its four hundred and sixty-four children drawing the public money, has not adequate school accommodations for more than thirty scholars. The remaining three hundred and eighty-six are practically unprovided for. At the same time that district has more than sixteen hundred dollars lying idle in the county treasury. The Peralta and Bay Districts also need school-houses.

"In addition to the public schools there are nine private schools and colleges in the county, with about one hundred and ninety pupils."

What a change is now observed from this sad state of affairs; to-day no county in the Union has greater reason to be proud of its school advantages. Alameda County has become the educational center of the State and bids fair to maintain her high reputation.

The winter of 1861-62 is one that will never be forgotten in the memory of those who experienced its inclemencies. Snow lay in the valleys despite the sun's rays, and the last Sunday in January, 1862, ice formed to the thickness of an inch. So severe were the early rains, and so high the tides, that all low lying lands were submerged. The Alameda Wharf was lost to sight for a time and the ferry-boats were compelled to suspend some of their regular trips; Amador Valley was transformed into one great lake; the San Leandro Creek rose to so great a height that some buildings near the bay were carried away, while one of the piers of the bridge was considerably damaged; much destruction ensued at Niles, San Lorenzo, and Yoakum's Ferry; while traffic was nearly suspended, the meetings of the Court of Sessions and Board of Supervisors being adjourned on account of the difficulty of travel. The volume of water that fell in the month of January was immense; on the 23d of that month an inch of rain fell in the short space of forty minutes, while the San Lorenzo Creek rose seven feet and two inches in fifty-eight minutes. The flood would appear to have been general throughout the State; for it is estimated that damage was done to the extent of seventy-five millions of dollars. This gloom overshadowed the hearts of all the farmers, for their crops were threatened with destruction: as we write, March 23, 1883, the same despair has settled upon the agriculturists but because there has been no rain! Truly the farmer's lot is not a happy one! We are told that as late as the month of April, 1862, Mission Peak and the higher hills were capped with snow, and on May 17th were bedecked in a like manner, while as late as the month of June the county was visited by frequent showers of rain, notwithstanding all of which the crops were promising. Indeed, the year 1862 was phenomenal as regards the weather, and had there been a Wiggins to prophecy the raging of storms and dire catastrophes, our farmers might well have felt apprehensive. On the 18th of August,

a straw stack near Mount Eden was struck by lightning and burned during a severe thunder-storm, while the telegraph wire at Centreville was also struck in like manner, exploding the magnet in the telegraph office and making a report like that of a musket.

With the year 1863 came marvelous changes. The subject of railroads first commanded public attention in the question of a subsidy for the Alameda Valley Railroad, and the breaking of ground at Sacramento for the great trans-continental line of the Central Pacific, while in the month of February the organization of the San Francisco, Alameda, and Stockton Railroad Company commenced to be spoken of. The subject of railroads, however, will be found more extendedly dwelt upon in the history of Oakland Township, suffice it here to state that the boon conferred upon Alameda County by this means of transportation has been inestimable. In this year too, a mining excitement had broken out, and several persons were digging into the hills some four miles to the east of Brooklyn, on what afterwards obtained the appropriate *sobriquet* of "Wild Cat Ranch," but we have failed to learn that any one "struck it rich" though all at the time were full of hope. On November 23d several parties in Alvarado were fired upon by a gang of Mexican desperadoes, who took to flight immediately thereafter, but the outraged citizens at once started in pursuit and capturing one of them very properly hanged him at the bridge crossing the Alameda Creek.

The opening of the year still brought the mining excitement. The *Veas* of January 23d says: "Mr. D. B. Goode called at our office on Wednesday last, on his return from San Francisco, where he had been on business connected with the Occidental Mining Company, located in Murray Township, in the southeast part of this county. This company is organized but not incorporated as yet. Mr. Goode is an old miner, having resided for some time in Placer County, and of course is no novice in mining operations. He has been prospecting and mining in this vicinity since last June and is now satisfied that he has 'struck it rich.' The lead struck is principally silver, with a slight mixture of gold. The district laid out is called the 'Alameda Mining District,' and the by-laws of the company will soon be published. The shaft is now forty feet deep and the rock at this depth just assayed in San Francisco yielded at the rate of eighty dollars per ton of silver. At the depth of forty feet the ledge is some four feet wide, well defined, runs north and south, and dips to the east."

The Mountain House, situated in the northeastern portion of the county, was attacked and plundered by a band of robbers on January 15, 1864, who were armed with pistols and bowie-knives and threatened to kill the inmates, the only men in the house being a sick Frenchman and a not very courageous German. By their intimidation they succeeded in obtaining one hundred dollars of Mr. Zimmerman's treasure, two dollars and a half from the Frenchman and all of the Teuton's wealth — one dollar. From this sum they afterwards, out of the fullness of their hearts returned one dollar, saying they did not like to leave a man "dead broke." Making their escape with the booty, they were subsequently apprehended in San José, brought back to Alameda County, tried before Judge Hamilton, and sent across the bay for fifteen years; the sentence of one of them, however, who gave the name of Charles Williams, being afterwards reduced to ten years. Sheriff Morse, at the commencement of this year, reported the enrollment of three thousand and eight men for military duty, a

large proportion of the population when it is considered that California would not be called upon to take any part in the civil war which was then at its height, although it was thought, for prudential reasons, necessary to ascertain the military strength of the State. It is said that in Brooklyn Township there was one man adjudged insane for resisting the muster.

Mr. Halley relates the following distressing accident as occurring on September 7, 1864, about midway between Niles and Centreville. It appears that a Mr. Jerome Rice, an auctioneer of San Francisco, and his book-keeper, a Mr. R. Gardiner, were on their way to Warm Springs in a buggy, drawn by a span of horses, and losing their way near Alvarado in the dark lost sight of the main road and took a wrong direction; when at the point indicated, the horses stopped suddenly on the edge of the river bank and Mr. Gardiner suggested that one of them had better get out and see what was the matter. Mr. Rice thought it was but one of those sudden frights to which horses are subjected and urged them forward again, when, in an instant, horses, driver, carriage and all went crashing down to the bottom of the creek, making a fall of about twenty feet. Strange as it may appear, here they remained as they fell for four days and nights, without relief or food, with the exception of Mr. Gardiner, who, after shouting himself hoarse and remaining a whole day expecting assistance, with a a broken leg, proceeded to drag himself towards the nearest habitation, that of Mr. Overacker, which was almost within hailing distance. He was not seen nor heard and two days and nights and a part of a third day were consumed in making this painful journey. When the circumstances of the sad affair were made known to Mr. Overacker and his family, they at once proceeded to render all the assistance in their power. On arriving at the scene of the accident, they found that Mr. Rice was hurt internally, seriously injured, and knocked insensible by the fall. One of the horses was lying down, tangled in the harness, and the other standing by him. When Mr. Rice was taken up he remarked: "How hard it is to lie here and die. How far is it —" and then became insensible. He died on the following day, at two o'clock in the morning. Mr. Gardiner, notwithstanding the hardships he endured and the severity of his injuries, recovered, but was lame for life.

On September 2, 1864, there was killed in action in the Shenandoah Valley, Captain C. S. Eigenbrodt, a gentleman who had formerly held the office of Supervisor for Washington Township, in this county, and who had gone East with a company of California Cavalry, which was attached to a Massachusetts regiment. The intelligence of his death was received with much regret throughout Alameda, while the Crusade Lodge of Odd Fellows, of which he had been a prominent member, passed resolutions of condolence and regret and otherwise honored his memory. In December, of this year, trouble with "squatters" commenced on the ranch, near the mission, of H. G. Ellsworth, but they were not of long duration, that gentleman having got rid of them, and ultimately obtained full possession of the property. At the January term of the County Court in this year the case of H. G. Ellsworth *versus* Elias Sampson and twenty others, for trespass as squatters on a portion of the Mission Ranch, was tried, and, after several days in Court, the plaintiff was awarded damages to the extent of one thousand dollars. The legal talent on either side were: For plaintiff, Edward Tompkins; for defendants, W. H. Glascock, H. K. W. Clarke, and

Judge Collins. In this year the contract for the construction of the Western Pacific Railroad, from San José to Stockton, was let to Cox & Meyers, and work commenced in the Alameda Cañon in the month of June; while the grading of the San Francisco and Alameda Railroad was completed to San Leandro in January, and the laying of the track finished in March, the first trip being made from San Francisco, by boat and cars, to San Leandro in an hour and a quarter. In April the contract for the completion of the road to Haywards was let to C. D. Bates, and an opening excursion, free, was had August 25, 1865. On the 22d of March the Contra Costa Railroad, to connect the San Francisco and Alameda Railroad with Oakland and San Pablo, was incorporated, but they never did any work on the proposed line. It has since been effectually carried out by the Central Pacific Railroad Company.

It was in this year that the dastardly assassination of President Lincoln, on April 14, 1865, cast the whole nation into grief. Alameda County was not a whit behindhand in her expression of sorrow, all being naturally impelled by the same feeling of woe, and loud were the execrations hurled at the foul murderer.

Guillermo Castro obtained a confirmation to the lands of the San Lorenzo Rancho, April 29, 1865, and a United States patent was issued therefor, while, not long after, the settlers on the San Ramon Rancho paid the sum of one hundred and eleven thousand dollars to Horace W. Carpentier for his title thereto. This splendid estate had originally cost Mr. Carpentier, we understand, the immense sum of one sack of flour!

Enterprise and activity reigned supreme throughout the year 1867. During it were established a County Teachers' Association; the incorporation of the Oakland Bank of Savings; the location of the Deaf, Dumb, and Blind Institute; the reorganization of the County Agricultural Society; and the founding of the Agricultural College. The principal occurrence in 1868 was the earthquake of October 21st, which was first felt a few minutes before eight o'clock in the morning. In Alameda County, which appears to have been its center, it was particularly destructive, and great damage was sustained in nearly all of the interior and valley towns, for particulars of which we refer the reader to the township histories; it is sufficient to say here that it was the most prodigious shaking that the county had ever had since its creation.

On the 29th October, 1869, the last rail of the Pacific Railroad was laid in Oakland, and thus the shores of the two mighty oceans were connected; and hardly had the ring of the final blow upon the last spike been hushed ere a distressing accident occurred near San Leandro, full particulars of which are given elsewhere.

It is now the proper time to show, in one branch of her products, the prominent place which Alameda County had taken. In the year 1868 J. Lusk, whose farm is within four miles of Oakland, cultivated fifty acres of raspberries, and derived from them a very handsome profit. He sent to market ninety tons of fresh raspberries, which were sold at an average of ten cents per pound, or a total of eighteen thousand dollars. He manufactured into jams, jellies, and pie-fruit twenty tons, which realized in the neighborhood of ten thousand dollars. He made fifteen thousand gallons of wine, worth twenty-five cents per gallon, at the lowest figure, six thousand two hundred and fifty dollars. He also manufactured ten thousand gallons of vinegar, worth twenty cents per gallon, or two thousand dollars; making the total product of his

ranch thirty-six thousand two hundred and fifty dollars. The cost of cultivating, picking, canning, barreling, and getting to market may be estimated at twenty thousand dollars, leaving for the year's labor the handsome sum of sixteen thousand two hundred and fifty dollars.

In the year 1870 there was another mining excitement in Brooklyn Township, but, like the last, it came to naught, although it was rumored there were indications of the precious metals and coal. It is said that some parties actually paid as high as twenty thousand dollars for a piece of ground which was not worth half the money. On June 22, 1870, the consolidation of the Central Pacific of California with the Western Pacific Railroad, under the name of the Central Pacific Railroad, with a capital stock of one hundred millions of dollars, was effected, and thus was the business of the two lines simplified. In November of this year the beet sugar mill at Alvarado commenced operations, with a capital stock of two hundred and fifty thousand dollars, while about the same time the San José Mission Land Company was organized with a capital stock of one million two hundred and fifty thousand dollars. The plan of the association was to purchase a certain tract of land, comprising about five thousand acres of the tract known as the San José Mission lands, and to improve and distribute the same among the shareholders; also to raise a fund for the purpose of constructing and endowing two colleges, one for males and the other for females, should the Order of Odd Fellows locate one at San José Mission and the other at Decoto. The intention of the company, however, was not carried out, but the Washington College at Washington Corners was established.

In this year S. B. Martin chartered the *Archer*, and, loading her with wheat, dispatched her direct to Liverpool, a new departure, and one which did away with the exorbitant charges of middle-men; besides, it was the first venture of the kind in the county.

During the winter of 1871-72 much damage was done by rain and floods in the lower end of the county, the streets of Mission San José being converted into rushing brooks, while a large area of land was inundated. In the year 1873 Oakland was chosen to be the future county seat by a majority of nine hundred and eighty-five votes of the people, the transactions in regard to which are all detailed elsewhere; while in this year, too, there were surveyors at work on the proposed narrow gauge road to Walnut Creek, Contra Costa County.

In this year a company of Scotchmen, through James Barr Robertson, purchased from E. L. Beard, of Mission San José, eighteen thousand acres of salt marsh between Alviso and Alvarado, with the intention of reclaiming it and putting it under cultivation, but only some four or five thousand acres were ever brought into subjection and placed under crop.

Henceforward the history of Alameda County will be found especially noted in the different chapters into which we have divided our volume; but ere bidding farewell to this section of the work we would wish to remark that the cold weather of an almost rainless winter has passed, and the summer season is upon us, and all nature is aglow. The great sun pours down his ripening rays and fills the valleys with light and heat. The mountains are enriched with purple wreaths and they bathe their temples with the cool west winds. The maturing grain overtops the fences and

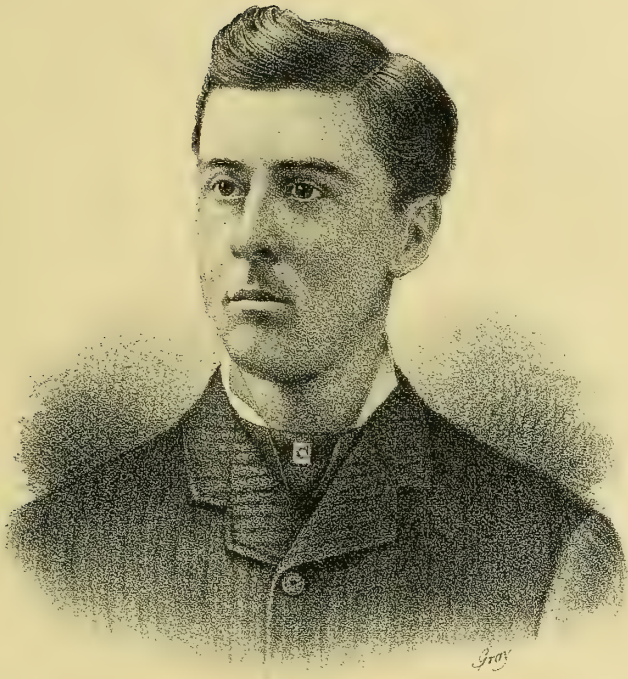
waving wealth is visible on every hand. From the Sierras to the sea, from Siskiyou to San Diego, the glorious land is rejoicing in a profusion of wealth not known to Egypt or the farthest Indies. Stand back and let the grand procession of her riches pass! Gold and grain, wine and wool, she produces in increasing plenty. Look at the quality and abundance of her hay crop; see how that speck of cotton is growing in size and whitening her valleys; see tobacco springing up over all her broad expanse. The corn-stalk is the cereal giant of her fields. The growth and variety of her orchards are without limit, and her vegetable products are justly her pride. There is abundance of fish in her waters; her dairy products are of superior quality, and her mountains teem with untold wealth of ores.

"The Land of Gold" is justly her legend, for she is golden in her cereals and her commercial position, as well as in her ores. She luxuriates in vine-clad hills and dewy meadows. Her peaceful homes nestle in the foot-hills and pleasantly dot the plains; she is a lovely land; she is a healthy land; she is a wealthy land; she is a great land. We love this gorgeous and wondrous land of ours and ring her praise in an altered couplet,

Far westward lies a land of wondrous fame,
By nature blest. California is her name.

We love to climb her sloping mountains, gaze upon the beauty of her voluptuous hills, and seek the sweet pastures of her smiling valleys. There is welcome expressed everywhere in her pleasant features. In whatever garb she presents herself, be it the vernal hue of spring or the bronze of autumn, she is beautiful. The seasons and changes make no difference in our passion for her, but we now rejoice with exultant nature and celebrate her opaline beauties. The evergreen oak, the cypress and the willow, furnish at all times rich embroidery for her ample robe, be it green, yellow, or brown.

The growing crops are of all colors from emerald to gold, while fields of new-mown hay stand out in light relief on the hill-sides. The shadows of the high fog-clouds chase each other over the dimpled mountains, the breath of perfume, heightened by the hay, permeates the air, and the song of the meadow lark makes day vocal. 'Tis the glorious month of June. Spring has flown and left behind her rich legacies of ripening fruits, grains and grasses. The face of the earth is changing from richest green to all the shades of the opal. The evergreen trees and shrubs are assuming a broader contrast with the earth from which they spring; the *arroyos* have contracted their streams or hidden their placid treasures in their bosoms, while the great rivers are swelling with the melted snows that have mantled the great Sierras; the waving lines of heat dance perceptibly in the moist atmosphere; the birds assume higher flights and become more joyous in their warblings, for they observe the plentitude of the ripening fruits on a thousand trees and shrubs, and with delight in their little bodies they fly from mound to mound of the sweet-scented hay. The dome of Heaven has lifted higher to make room for the increased power and volume of nature as the great earth moves on its momentous errand of pursuing the setting sun, and rolling back on the parched earth the cooling vapors and air-tides of the boundless Pacific. The student is now enjoying his holidays, and the man of business seeks immunity from his daily routine of thought and toil in sweet communion with nature.



W. E. Largie

It will now be in order to climb and camp, and from mountain heights spy out the beauty and wonders of the land. To the man who has not "done" California, new and varied scenes constantly unfold themselves. There is no want of invitations from nature. He may seek the high Sierras or go look upon Yosemite's wondrous walls, falls, and valleys. He can rusticate within the foot-hills or wander among the mines. He may betake himself to the fragrant orange groves of the south, or enjoy a trip to the lakes of the north. He can scale Shasta's or Diablo's heights and view the broad expanse of land and sea. Many healing and pleasure-seeking springs invite him thither. The cherry orchards, the hay ricks, and the grain fields have their attractions. Sweet contemplation may be secured up the mouth of a cañon.

Without indulging in further speculation let us cross the bosom of the broad bay and betake ourselves where fancy leads. The adventures will be sweetened and the surprises more to be remembered. With a heart uncharged with anticipation we are prepared to enjoy every feature that presents itself to our admiring gaze. The bay's broad sheen, with its pride of shipping and island domes is a picture of its kind unsurpassed in the world. Tall Tamalpais directly to the north and Diablo's rounded peak to the east attract our attention. It is the fashion now to visit the latter and gaze on the adjacent valleys, the far Sierras and the boundless ocean. Monte Diablo! What a name! Has it dark and dismal caves, or is it the abode of demons? It will be found harmless in its inhabitants but its dimensions will gradually grow. That round lump of lifted earth is seventy-five miles in circumference at its base, around which nestle lovely valleys. We pass that beautiful City of the Bay, Oakland, and we seek the mountain's height. The drive over mountain and through valley is one of picturesque majesty. We gradually ascend the mountain by the winding roadway and the world is at your feet. To the east are the heavier-supporting Sierras; to the south the great bay and fruitful plains; to the north the boundless regions stretching towards Oregon; and to the west the mighty ocean. We see the thread-like Sacramento and the tortuous San Joaquin. The bay valleys—the Alameda and Santa Clara—are filled with exhalations from the bay and ocean, and seem to sleep in a shroud of haze. That beautiful valley to the south—'tis the rich Amador—looks like a lake of light. Let us conjure up a picture.

In one of the little valleys, sitting near a spring at whose grateful fountain we slake our thirst, we meet a man of venerable appearance, but by no means a feeble or tottering frame. We soon see that English is not his native tongue. He is of the proud Castillian race, and his tale is a remarkable one. Freely he narrates his eventful history.

"No one can tell you of this land better than I. Once affluence was mine. No one of the original possessors of the soil owned more leagues, could boast of handsomer valleys or count larger herds. My father was a native of Spain. I was born in San Francisco in the year 1779, and am now a century and four years of age. The grand city over by the sea has no older son. This mountain which has become the resort of thousands, and whose name is spreading over the world, I was the first white man to tread and explore. The name of Amador was once a host in itself. Here I hunted Indians with my soldiers, and brought them to the mission to learn the arts of civilization and the gospel of Salvation. This mountain was christened by me.

I will tell you the circumstance under which its name was given. I had my soldiers here in ambush watching for the Indians. One dark night a frightened sentinel came rushing to my tent, and told me he had seen an apparition and thought he was pursued by the devil. This was in a *monte* thicket. We had previously given the place no name, and the incident was suggestive. It ever since has been called Monte Diablo."

"Have you no children?"

"Many—they count by the score and number three generations. My children and grandchildren and their sons and daughters are scattered all over the State, and with one of them, in a humble cabin yonder I lived for years. My progeny is numerous, but my glory has departed. Amador was the friend of the Americans. They now possess my lands. They are wealthy and prosperous, have great names, while I pine in obscurity. The native Californian has a sad tale to tell and no one a more doleful one than myself."



THE MILITARY OCCUPATION OF NORTHERN CALIFORNIA, AND THE RAISING OF THE BEAR FLAG.

THE CAUSE—THE PROGRESS—THE CONCLUSION.

WHEN the present century had but come of age, Mexico ceased to be a portion of the Spanish realm, and plunged, by itself, into the undiscovered mysteries of Statecraft. Iturbide, under the title of August I., was elected by the popular voice Constitutional Emperor, May 19, 1822, and after reigning for a brief period was forced to abdicate during the revolution headed by General Santa Ana in 1823. He, however, returned to the government of his Empire, and lost both his crown and his head.

About this time California had found extreme favor in the jealous eyes of three great powers, namely, France, the United States of America, and Great Britain; we have elsewhere shown what the Russians did on the coast, and how they actually gained a foothold at Bodega and Fort Ross, in Sonoma County. In the year 1818, Governor Sola received a communication from Friar Marquinez, of Guadalaxara, in Old Spain, wherein he informs His Excellency of the rumors of war between the United States and Spain, while, in February of the following year, Father José Sanchez, writes to the same official that there is a report abroad of the fitting out of an American expedition in New Mexico. Both of these epistles remark that California is the coveted prize. Great Britain wanted it, it is said, for several reasons, the chief of which was, that in the possession of so extended a coast line, she would have the finest harbors in the world for her fleets.

In the meantime that epidemic so chronic to Mexico, a revolution, had broken out in the year 1836, but nothing of interest occurred in respect to the portion of California of which we write save the departure of a few of the settlers to join the opposing factions. While this strife was being maintained, Juan B. Alvarado was appointed Governor of California, an office he held until December, 1842, before when the differences between the Government and the revolutionists had been arranged.

In the month of September, 1842, Commodore Ap Catesby Jones, then in command of the United States fleet, became possessed of two newspapers which would appear to have caused him to take immediate action. One of these, published in New Orleans, stated that California had been ceded by Mexico to Great Britain in consideration of the sum of seven millions of dollars; the other, a Mexican publication, caused him to believe that war had been declared between the two countries. The sudden departure of two of the British vessels strengthened him in this belief, and that they were *en route* for Panama to embark soldiers from the West Indies for the occupation of California. To forestall this move of "perfidious Albion," Commodore Jones left Callao, Peru, on September 7, 1842, and crowded all sail, ostensibly for the port of Monterey, but when two days out, his squadron hove to, a council of the

captains of the flagships *Cyane* and *Dale* was held, when the decision was come to that possession should be taken of California at all hazards, and afterwards abide by the consequences whatever they might be. Writing from Panama under date September 23, 1842, an officer of the last-named vessel tells the story of these movements in the following words: "We sailed from Callao on the 7th of September in company with the *United States* and *Cyane* sloop, but on the tenth day out, the 17th, separated, and bore up for this port. Just previous to our departure, two British ships-of-war, the razee *Dublin*, fifty guns, and the sloop-of-war *Champion*, eighteen guns, sailed thence on secret service. This mysterious movement of Admiral Thomas elicited a hundred comments and conjectures as to his destination, the most probable of which seemed to be that he was bound for the northwest coast of Mexico, where it is surmised that a British settlement (station) is to be located in accordance with a secret convention between the Mexican and English Governments, and it is among the *on dits* in the squadron that the frigate *United States*, *Cyane*, and *Dale* are to rendezvous as soon as possible at Monterey, to keep an eye on John Bull's movements in that quarter."

These rumors were all strengthened by the fact that eight hundred troops had been embarked at Mazatlan in February, 1842, by General Micheltorena, to assist the English, it was apprehended, to carry out the secret treaty whereby California was to be handed over to Great Britain. Of these troops, who were mostly convicts, Micheltorena lost a large percentage by desertion, and after much delay and vexation, marched out of Mazatlan on July 25, 1842, with but four hundred and fifty of the original number. He arrived at San Diego August 25, 1842. When between Los Angeles and Santa Barbara on his northward march, with his army reduced to but three hundred from still further desertions, at eleven o'clock on the night of the 24th of October, he received the astounding intelligence that Commodore Jones had entered the port of Monterey, the capital of the Territory, with the frigate *United States* and corvette *Cyane*, had landed an armed force, had hauled down the Mexican national ensign, had hoisted that of the United States in its place, and had issued a proclamation declaring California to be thenceforth belonging to the United States of America. These last-mentioned startling occurrences took place, October 19, 1842; on the 28th, having reflected on this latest achievement, the Commodore became convinced of the perpetration of an error in judgment, therefore lowered the "stars and stripes", replaced it with the flag of Mexico, and after saluting it on the day following weighed anchor for Mazatlan, whence he reported his actions to Washington.

On hearing of the capture of Monterey, the Mexican General withdrew to the mission of San Fernando, where he remained for some time, but finally, on the horizon being cleared, transferred himself and his staff to Los Angeles, and in that city entertained Commodore Jones on January 19, 1843.

Upon the receipt of the intelligence of the rather energetic proceeding of Jones at Washington, his recall was demanded by the Mexican Envoy there, which was complied with, and Captain Alexander J. Dallas instructed to proceed to relieve him of the command on the Pacific Coast. This officer at once took his departure by way of Panama to Callao to assume his new functions, and on arrival took the *Erie*, an old store ship, and proceeded in search of the Commodore, who had, in the mean-

time, received intelligence of the turn affairs had taken, kept steering from port to port, and finally touching at Valparaiso, sailed for home around the Horn. The reign of Captain Dallas was short; he died on board the frigate *Savannah*, at Callao, June 3, 1844, and was succeeded by Commodore John Drake Sloat.

The adjustment of the revolution of 1836 left misunderstandings rife between the two highest functionaries in the Department of California; the civil and military authority could not agree, each therefore complained of the other to the Central Government, who secretly dispatched Micheltorena to assume the two-fold power of Civil and Military Governor in place of Governor Alvarado and General Vallejo, and not, as it was thought, to perfect a scheme whereby California was to be handed over to the fostering care of a monarchy. On seeing the turn which affairs had taken against them, Alvarado and Vallejo agreed to lay aside their bickerings and make common cause against Micheltorena, who they designated an usurper, and aided by General Castro, drive him from the soil they deemed he tainted. This triumvirate declared California *independent*, and declared war against the representative of Mexico. General Micheltorena, having seen the gage of battle thrown in his teeth, took the field to bring to speedy end the insurrection; he advanced to within twelve miles of the Pueblo de San José, but discovering that district to be up in arms, he beat a retreat, and halted not until he reached San Juan Bautista, where he was attacked and routed in spite of a stubborn defense, in November, 1844. From this blow, he never rallied, and at last, in February, 1845, he paid eleven thousand dollars for a passage on board the bark *Don Quixote*, to be taken to San Blas, a seaport town on the western coast of the province of Guadalupe in Mexico. He joined this craft at San Pedro with about a hundred of his officers and men, and then proceeding to Monterey, where touching, the General's lady with several others, were taken on board, and sail was set for a more propitious shore. Strife having terminated, Pio Pico was voted to the Gubernatorial Chair, and José Castro appointed General.

In the month of March, 1845, Brevet-Captain John Charles Fremont departed from Washington for the purpose of organizing a third expedition for the topographical survey of Oregon and California, which, having effected, he left Bent's Fort on or about April 16th, his command consisting of sixty-two men, among them being Kit Carson and six Delaware Indians. Passing through the Sierra Nevada in December, they arrived at Sutter's Fort on the 10th of that month, which, after a stay of only two days, they left, for Fremont was in search of a missing party of his explorers. It is not possible here to follow him in his long wanderings over mountain and through valley on his humane undertaking, but not being able to discover the whereabouts of Talbot and Walker, and having lost most of his horses, or consumed the greater number of his cattle, forty head of which he had procured from Sutter, he determined to retrace his steps to the hospitable dwelling of that pioneer which he reached, January 15, 1846. On the 17th Fremont left Sutter's Fort in a launch for Yerba Buena, where he arrived on the 20th; the 21st saw him and Captain Hinckley sailing up the Bay of San Francisco in a whale-boat to the embarcadero at Alviso, and on the 22d they proceeded to the Pueblo of San José, where they received intelligence of the lost expedition being encamped on the San Joaquin, whither he at once dispatched two parties under Kit Carson to guide them into Santa Clara Valley.

Fremont and Hinckley then visited the New Almaden quicksilver mines, and returned to San Francisco. On the 24th Captain Fremont was once more on the move. He started from Yerba Buena and that evening halted at the rancho of Francisco Sanchez; the following evening he passed on the hill-side near the laguna, between Suñol and Pleasanton; the next night at the home of Don José Joaquin Gomez, on the Cañada of San Juan, and on the morning of January 27, 1846, reached Monterey. In company with Thomas O. Larkin, United States Consul, he now paid a visit to General Castro, and stated the cause of his journey—he was in need of provisions, and requested that his party might pass unmolested through the country. The request was granted verbally; however, when asked for the necessary passport in writing the General excused himself on the plea of indisposition, but hinted that no further assurance was needed than “his word.” A call was also made upon the Prefect of the district, Don Manuel Castro, the same statement made, and he too declared everything to be “all right.” Fremont then received funds and provisions from the Consul and made all haste to San José, where he was joined by his band, safely led from the San Joaquin by Kit Carson, but not finding there such stores as were needed by him, he determined to retrace his steps to Monterey, and, after some fifteen or twenty days, camped in the Santa Clara Valley, on the ranch of Captain William Fisher, known as the Laguna Seca.

While here a Mexican made his appearance and laid claim to certain of Fremont's horses on the bold plea that they had been stolen; now observe how from a little great things spring! On February 20th the Captain received a summons to appear before the Alcade of San José to answer to a charge of horse-stealing, an action which brought forth, the next day, the following characteristic communication, which the reader will, no doubt, find interesting.

CAMP NEAR ROAD TO SANTA CRUZ, February 21, 1846.

SIR: I received your communication of the 20th informing me that a complaint had been lodged against me in your office for refusing to deliver up certain animals of my band, which are claimed as having been stolen from this vicinity about two months since, and that the plaintiff further complains of having been insulted in my camp. It can be proven on oath by thirty men here present that the animals pointed out by the plaintiff have been brought in my band from the United States of North America. The insult of which he complains, and which was authorized by myself, consisted in his being driven or ordered to immediately leave the camp. After having been detected in endeavoring to obtain animals under false pretenses, he should have been well satisfied to escape without a severe horse-whipping. There are four animals in my band which were bartered from the Tulare Indians by a division of my party which descended the San Joaquin Valley. I was not then present, and if any more legal owners present themselves, these shall be immediately given or delivered upon proving property. It may save you trouble to inform you that, with this exception, all the animals in my band have been purchased and paid for. You will readily understand that my duties will not permit me to appear before the magistrates in your towns on the complaint of every straggling vagabond who may chance to visit my camp. You inform me that unless satisfaction be immediately made by the delivery of the animals

in question, the complaint will be forwarded to the Governor. I beg you will at the same time inclose to his Excellency a copy of this note.

"I am, very respectfully, your obedient servant,

"J. C. FREMONT, *U. S. Army.*

"To Sr. Don Dolores Pacheco, Alcalde of San José."

Hence, the intrepid Pathfinder moved, by easy marches, in the direction of the Santa Cruz Mountains, which he crossed about ten miles from San José at the gap where the Los Gatos Creek enters the plain; he then made his way towards the coast, and on the 1st of March encamped on the rancho of Edward Petty Hartnell. While here he received, late in the afternoon of the 5th, at the hands of a Mexican officer, attended by an armed escort, a dispatch from Don Manuel Castro, Prefect of the district, charging him (Fremont) with having entered the towns and villages under his (the Prefect's) jurisdiction, in contempt of the laws of the Mexican Government, and ordering him out of the country, else compulsory measures would be taken to compel him to do so. On the receipt of this communication Fremont did not display much hesitancy in arriving at a conclusion. That evening he struck his camp, and ascending "Hawks Peak," a rough looking mountain in the Salinas Range, about thirty miles from Monterey, and two thousand feet above the sea level, commenced the construction of a rude fort, protected by felled trees, and stripping one standing near by of its branches nailed the "Star Spangled Banner" to its highest point—full forty feet above their heads—and the morning of the 6th found him awaiting further developments.

Let us now take a glance at the movements of Castro. On the day that Fremont had fairly established himself on Hawks Peak the General communicated the accompanying letter to the Minister of Marine in Mexico: "In my communication of the 5th ultimo, I announced to you the arrival of a captain, at the head of fifty men, who came, as he said, by order of the Government of the United States, to survey the limits of Oregon. This person presented himself at my headquarters some days ago, accompanied by two individuals (Thos. O. Larkin, Consul, and Capt. William A. Leidesdorff, Vice-Consul), with the object of asking permission to procure provisions for his men that he had left in the mountains, which was given him, but two days ago, March 4th, I was much surprised at being informed that this person was only two days' journey from this place (Monterey). In consequence, I immediately sent him a communication, ordering him, on the instant of its receipt, to put himself on the march and leave the department, but I have not received an answer, and in order to make him obey, in case of resistance, I sent out a force to observe their operations, and to-day, the 6th, I march in person to join it and to see that the object is attained. The hurry with which I undertake my march does not permit me to be more diffuse, and I beg that you will inform his Excellency, the President, assuring him that not only shall the national integrity of this party be defended with the enthusiasm of good Mexicans, but those who attempt to violate it will find an impregnable barrier in the valor and patriotism of every one of the Californians. Receive the assurance of my respect, etc. God and Liberty."

We left Captain Fremont in his hastily constructed fort, every avenue to which was commanded by the trusty rifles of his men, calmly awaiting the speedy vengeance

promised in the communication of the Prefect. To carry it out Don José had summoned a force of two hundred men to the field, strengthened by one or two cannon of small calibre, but nothing beyond a demonstration was attained. In the language of the late General Revere (then Lieutenant), "Don José was rather in the humor of that renowned King of France, who, with twenty thousand men, marched up the hill, and then marched down again." Castro's next move was the concocting of an epistle to Fremont, desiring a cessation of hostilities, and making the proposition that they should join forces, declare the country independent, and with their allied armies march against Governor Pio Pico, at that time at Los Angeles. To John Gilroy, an old Scotch settler, was entrusted the delivery of this exquisite piece of treachery. He reached Hawks Peak on the night of the 10th, but found the fort untenanted. Fremont had wearied, after three days' waiting for General Castro's attack, which, not being made, he struck his camp, threw away all useless articles that might impede a forced march, and the morning of the 11th found him in the valley of the San Joaquin. Gilroy, on his return related his tale of the camp-fires still alight, the discarded pack-saddles and no Fremont, a circumstance which so elated the courageous Castro that he at once resolved on attacking the fort, which he was the first to enter. After performing prodigies of valor and sacking the inclosure, he sat down on one of Fremont's left-off pack-saddles, and penned a dispatch to Monterey descriptive of the glorious victory he had gained, while his return need not be looked for until his promise of driving Fremont from the department, long ago given, should be fulfilled.

And so matters for a time rested. The American settlers began to feel far from safe, and should the necessity for defense arise, no time should be lost in preparing for the emergency; their action was the cause of the raising of the Bear Flag.

About June 1, 1846, General Castro, with Lieutenant Francisco de Arci, his Secretary, left the Santa Clara Mission, where they had ensconced themselves after following in Fremont's wake through that district, and, passing through Yerba Buena, crossed the bay to the Mission of San Rafael, and there collected a number of horses, which he directed Arci to take to Sonoma, with as many more as he could capture on the way, and from there proceed with all haste back to the Santa Clara Mission by way of Knight's Landing and Sutter's Fort. These animals were intended to be used by Castro against Fremont and Governor Pico, both of whom had questioned and defied his authority. On June 5th, Castro transferred his base of operations from Santa Clara to Monterey, but while *en route* back to Santa Clara on the 12th, he received the intelligence by special courier that his *aide* had been surprised and taken prisoner on the 10th by a party of adventurers who had also seized a large number of the horses that he had in charge. Here was a dilemma! Castro's caligraphic education had been woefully neglected—it is said he could only paint his signature—and being without his amanuensis, he retraced his steps to Monterey, and there compounded a letter, with the assistance of Don Juan B. Alvarado, to the Prefect, Manuel Castro, saying that the time had come when their differences should be laid aside, and conjoint action taken for the defense and protection of their common country, at the same time requesting that he should collect as large a number of men and horses as he could and despatch them to Santa Clara, whither he then returned.

When Lieutenant Arci left Sonoma with the *caballada* of horses and mares,



W. C. Blackwood

crossing the dividing ridge, he passed up the Sacramento Valley to Knight's Landing on the left bank of the Sacramento River, about fifteen miles from the present Sacramento City [this ferry was kept by William Knight, who left Missouri, May 6, 1841, and arrived in California on the 10th of November of the same year. Receiving a grant of land, he settled at the point known as Knight's Landing, Yolo County, of to-day, and died at the mines on the Stanislaus River in November, 1849], on reaching which he met Mrs. Knight, to whom, on account of her being born of the country, and therefore thought to be trustworthy, he confided the secret of the expedition. To contain such a secret was too much for any ordinary feminine bosom; she imparted the news to her husband, who, in assisting the officer to cross his horses, gave him fair words so as to lull suspicion, and then, bestriding his fleetest horse, made direct for Captain Fremont's camp, at the confluence of the Feather and Yuba Rivers, where he arrived early in the morning of June 9th. Here Knight, who found some twenty settlers, that had arrived earlier than he, discussing matters, communicated to Fremont and those assembled the fact that Lieutenant Arci had, the evening before, the 8th of June, crossed at his landing, bound to Santa Clara, *via* the Cosumnes River; that Arci had told Mrs. Knight, in confidence, that the animals he had in charge were to be used by Castro in expelling the American settlers from the country, and that it was also the intention to fortify Bear River Pass above the ranch of William Johnson, thereby putting a stop to immigration, a menace of Castro's which was strengthened by the return to Sutter's Fort, on June 7th, of a force that had gone out to chastise the Mokelumne Indians, who had threatened to burn the settlers' crops, being incited thereto, presumably, by Castro.

Fremont, while encamped at the Buttes, near the Yuba and Feather Rivers, was visited by nearly all the settlers, and gleaned vast stores of fresh information hitherto unknown to him. From them he learned that the greater proportion of foreigners in the country had become Mexican citizens, and had married native Californian ladies, for the sake of procuring land, and through them had become possessed of deep secrets supposed to be known only to the prominent people. Another was that a convention had been held at the San Juan Mission to decide which of the two nations, America or Great Britain, should guarantee protection to California for certain privileges and considerations. In this regard, Lieutenant Revere says: "I have been favored by an intelligent member of the Junta with the following authentic report of the substance of Pico's address to that illustrious body:—

"EXCELLENT SIRS: To what a deplorable condition is our country reduced! Mexico, professing to be our mother and our protectress, has given us neither arms nor money, nor the material of war for defense. She is not likely to do anything in our behalf, although she is quite willing to afflict us with her extortionate minions, who come hither in the guise of soldiers and civil officers, to harass and oppress our people. We possess a glorious country, capable of attaining a physical and moral greatness corresponding with the grandeur and beauty which an Almighty hand has stamped on the face of our beloved California. But although nature has been prodigal, it cannot be denied that we are not in a position to avail ourselves of her bounty. Our population is not large, and is sparsely scattered over valley and mountain, covering an immense area of virgin soil, destitute of roads, and

traversed with difficulty; hence it is hardly possible to collect an army of any considerable force. Our people are poor, as well as few, and cannot well govern themselves and maintain a decent show of sovereign power. Although we live in the midst of plenty, we lay up nothing, but tilling the earth in an imperfect manner, all our time is required to provide subsistence for ourselves and our families. Thus circumstanced, we find ourselves suddenly threatened by hordes of Yankee immigrants, who have already begun to flock to our country, and whose progress we cannot arrest. Already have the wagons of that perfidious people scaled the almost inaccessible summits of the Sierra Nevada, crossed the entire continent and penetrated the fruitful valley of the Sacramento. What that astonishing people will next undertake I cannot say, but in whatever enterprise they embark they will be sure to prove successful. Already have these adventurous land-voyagers spread themselves far and wide over a country which seems suited to their tastes. They are cultivating farms, establishing vineyards, erecting mills, sawing lumber, building workshops, and doing a thousand other things which seem natural to them, but which Californians neglect or despise. What, then, are we to do? Shall we remain supine while these daring strangers are over-running our fertile plains and gradually outnumbering and displacing us? Shall these mercenaries go on unchecked, until we shall become strangers in our own land? We cannot successfully oppose them by our own unaided power, and the swelling tide of immigration renders the odds against us more formidable every day. We cannot stand alone against them, nor can we creditably maintain our independence even against Mexico; but there is something we can do which will elevate our country, strengthen her at all points, and yet enable us to preserve our identity and remain masters of our own soil. Perhaps what I am about to suggest may seem to some faint-hearted and dishonorable. But to me it does not seem so. It is the last hope of a feeble people, struggling against a tyrannical government which claims their submission at home, and threatened by bands of avaricious strangers from without, voluntarily to connect themselves with a power able and willing to defend and preserve them. It is the right and the duty of the weak to demand support from the strong, provided the demand be made upon terms just to both parties. I see no dishonor in this last refuge of the oppressed and powerless, and I boldly avow that such is the step that I would have California take. There are two great powers in Europe which are destined to divide between them the unappropriated countries of the world. They have large fleets and armies not unpractised in the art of war. Is it not better to connect ourselves with one of those powerful nations than to struggle on without hope, as we are now doing? Is it not better that one of them should be invited to send a fleet and an army to defend and protect California, rather than we should fall an easy prey to the lawless-adventurers who are over-running our beautiful country? I pronounce for annexation to France or England, and the people of California will never regret having taken my advice. They will no longer be subjected to the trouble and grievous exposure of governing themselves; and their beef and their grain, which they produce in such abundance, would find a ready market among the new-comers. But I hear some one say: 'No monarchy!' But is not monarchy better than anarchy? Is not existence in some shape better than annihilation? No monarchy! and what is there so terrible in a monarchy?

Have we not all lived under a monarchy far more despotic than that of France or England, and were not our people happy under it? Have not all the leading men among our agriculturists been bred beneath the royal rule of Spain, and have they been happier since the mock republic of Mexico has supplied its place? Nay, does not every man abhor the miserable abortion christened the Republic of Mexico, and look back with regret to the golden days of the Spanish monarchy? Let us restore that glorious era. Then may our people go quietly to their ranchos, and live there as of yore, leading a thoughtless and merry life, untroubled by politics or cares of State, sure of what is their own, and safe from the incursions of the Yankees, who would soon be forced to retreat to their own country."

It was a happy thing for California, and, as the sequel proved, for the Government of the United States, that a man was found at this juncture whose ideas were more enlightened and consonant with the times than those of the rulers of his country, both civil and military. Patriotism was half his soul; he therefore could not silently witness the land of his birth sold to any monarchy, however old; and he rightly judged that, although foreign protection might postpone, it could not avert that assumption of power, which was beginning to make itself felt. Possessed at the time of no political power and having had early advantages above the common order, still his position was so exalted, and his character so highly respected by both the foreign and native population, that he had been invited to participate in the deliberations of the Junta. This man was Don Mariano Guadalupe Vallejo. Born in California, he commenced his career in the army as an *alferes*, or ensign, and in this humble grade he volunteered, at the suggestion of the Mexican Government, with a command of fifty soldiers, to establish a colony on the north side of the Bay of San Francisco, for the protection of the frontier. He effectually subdued the hostile Indians inhabiting that then remote region, and laid the foundation of a reputation for integrity, judgment, and ability unequalled by any of his countrymen. Though yet a young man, he had already filled the highest offices in the province, and had at this time retired to private life near his estates in the vicinity of the town of Sonoma. He did not hesitate to oppose with all his strength the views advanced by Pico and Castro. He spoke nearly as follows:—

"I cannot, gentlemen, coincide in opinion with the military and civil functionaries who have advocated the cession of our country to France or England. It is most true that to rely any longer upon Mexico to govern and defend us would be idle and absurd. To this extent I fully agree with my distinguished colleagues. It is also true that we possess a noble country, every way calculated from position and resources to become great and powerful. For that reason I would not have her a mere dependency upon a foreign monarchy, naturally alien, or at least indifferent, to our interests and our welfare. It is not to be denied that feeble nations have, in former times, thrown themselves upon the protection of their powerful neighbors. The Britons invoked the aid of the warlike Saxons, and fell an easy prey to their protectors, who seized their lands and treated them like slaves. Long before that time feeble and distracted provinces had appealed for aid to the all-conquering arms of imperial Rome, and they were at the same time protected and subjugated by their grasping ally. Even could we tolerate the idea of dependence, ought we to go

to distant Europe for a master? What possible sympathy could exist between us and a nation separated from us by two vast oceans? But waving this insuperable objection, how could we endure to come under the dominion of a monarchy? For, although others speak highly of that form of government, as a free man I cannot do so. We are republicans—badly governed and badly situated as we are—still we are all, in sentiment, republicans. So far as we are governed at all, we at least profess to be self-governed. Who, then, that possesses true patriotism will consent to subject himself and his children to the caprices of a foreign king and his official minions? But, it is asked, if we do not throw ourselves upon the protection of France or England, what shall we do? I do not come here to support the existing order of things, but I come prepared to propose instant and effective action to extricate our country from her present forlorn condition. My opinion is made up that we must persevere in throwing off the galling yoke of Mexico, and proclaim our independence of her forever. We have endured her official cormorants and her villainous soldiery until we can endure it no longer. All will probably agree with me that we ought at once to rid ourselves of what may remain of Mexican domination. But some profess to doubt our ability to maintain our position. To my mind there comes no doubt. Look at Texas and see how long she withstood the power of united Mexico. The resources of Texas were not to be compared with ours, and she was much nearer to her enemy than we are. Our position is so remote, either by land or sea, that we are in no danger from Mexican invasion. Why, then, should we hesitate still to assert our independence? We have indeed taken the first step, by electing our own Governor, but another remains to be taken. I will mention it plainly and distinctly—it is annexation to the United States. In contemplating this consummation of our destiny, I feel nothing but pleasure, and I ask you to share it. Discard old prejudices, disregard old customs, and prepare for the glorious change which awaits our country. Why should we shrink from incorporating ourselves with the happiest and freest nation in the world, destined soon to be the most wealthy and powerful? Why should we go abroad for protection when this great nation is our adjoining neighbor? When we join our fortunes to hers, we shall not become subjects, but fellow-citizens, possessing all the rights of the people of the United States, and choosing our own federal and local rulers. We shall have a stable Government and just laws. California will grow strong and flourish, and her people will be prosperous, happy, and free. Look not, therefore, with jealousy upon the hardy pioneers who scale our mountains and cultivate our unoccupied plains, but rather welcome them as brothers who come to share with us a common destiny."

Such was the substance of General Vallejo's observations; those who listened to him, however, were far behind in general knowledge and intelligence. His arguments failed to carry conviction to the greater number of his auditors, but the bold position taken by him was the cause of an immediate adjournment of the Junta, no result having been arrived at concerning the weighty affairs on which they had met to deliberate. On his retirement from the Junta he embodied the views he had expressed in a letter to Don Pio Pico, and reiterated his refusal to participate in any action having for its end the adoption of any protection other than that of the United States. In this communication he also declared that he would never serve

under any Government which was prepared to surrender California to an European power; he then retired to his estate, there to await the issue of events.

We left William Knight at Fremont's camp, at the junction of the Yuba and Feather Rivers, where he had arrived on the morning of June 9, 1846, imparting his information regarding Lieutenant de Arci, his movements, and the intentions of General Castro. At 10 A. M. of that day a party of eleven men, under the oldest settler, Ezekiel Merritt, started in pursuit of the Lieutenant and his horses. On arrival at Hock Farm they were joined by two more men, and, thereafter, having crossed the American River at "Sinclair's," reached Allen Montgomery's ranch, sixty miles from Fremont's camp at the Buttes, towards evening, and there supped. At this point they received the intelligence that Arci had reached Sutter's Fort on the 8th, and had that morning resumed his march, intending to camp that night at the ranch of Martin Murphy, twenty miles south on the Cosumnes River. Supper finished, and a short rest indulged in, the party were once more in the saddle, being strengthened by recruiting Montgomery and another, making their total force fifteen in number. Proceeding to within about five miles of Murphy's, they there lay concealed until daylight, when they were again on the move and halted within half a mile of the Lieutenant's camp. Unperceived, they now cautiously advanced to within a short distance of the Mexican officer and his party, when, suddenly charging, they, as well as the horses, were secured. Lieutenant Arci was permitted to retain his sword; each of his party was given a horse to carry him to Santa Clara; and a person traveling under his escort was permitted to retain six of the horses, as he claimed them as private property. The Americans at once returned to Montgomery's ranch with the captured animals in their possession, and there breakfasted; that night, the 10th, they camped twenty-seven miles above Sutter's, on the rancho of Nicholas Allgier, a German, not far from the mouth of Bear River, and, in the morning, ascertaining that Fremont had moved his camp hither from the Buttes, they joined him on the 11th at 10 A. M., having covered a distance of one hundred and fifty miles in forty-eight hours. These are the details attending the capture of Arci, and reported to Castro on June 12, 1846, when on his way from Monterey to Santa Clara.

On arriving at Fremont's camp it was found that the garrison had been considerably augmented by the arrival of more settlers, who were all ardently discussing the events of the last two days and their probable results. After a full hearing it was determined by them that, having gone so far, their only chance of safety was in a rapid march to the town of Sonoma, to effect its capture, and to accomplish this before the news of the stoppage of Lieutenant Arci and his horses could have time to reach that garrison. It was felt that should this design prove successful all further obstacles to the eventual capture of the country would have vanished. The daring band then reorganized, still retaining in his position of Captain, Ezekiel Merritt. At 3 P. M., June 12th, under their leader, they left Fremont's camp for Sonoma, one hundred and twenty miles distant, and, traveling all night, on their way called at the ranch of William Gordon, about ten miles from the site of the present town of Woodland, in Yolo County, whom they desired to inform all Americans that could be trusted, of their intentions. At 9 A. M. on the 13th they reached Captain John Grigsby's, at the head of Napa Valley, and were there joined by William L.

Todd, William Scott, and others. Here the band, which now mustered thirty-three men, was reorganized and addressed by Doctor Robert Semple, of Benicia. Not desiring, however, to reach Sonoma till daylight, they halted here until midnight, when they once more resumed their march, and before it was yet the dawn of June 14, 1846, surprised and captured the garrison of Sonoma, consisting of six soldiers, nine pieces of artillery, and some small arms, etc., "all private property being religiously respected; and in generations yet to come their children's children may look back with pride and pleasure upon the commencement of a revolution which was carried on by their fathers' fathers upon principles as high and holy as the laws of eternal justice."

Their distinguished prisoners were General Don Mariano Guadalupe Vallejo, Lieutenant-Colonel Don Victor Prudon, Captain Don Salvador Vallejo, brother to the General, and Mr. Jacob Primer Leese, brother-in-law to the General.

Let us now lay before the reader the account of this episode in California's history as described by the veteran General himself, at the Centennial exercises held at Santa Rosa, Sonoma County, July 4, 1876:—

"I have now to say something of the epoch which inaugurated a new era for this country. A little before dawn on June 14, 1846, a party of hunters and trappers, with some foreign settlers, under command of Captain Merritt, Doctor Semple, and William B. Ide, surrounded my residence at Sonoma, and without firing a shot, made prisoners of myself, then Commander of the northern frontier; of Lieutenant-Colonel Victor Prudon, Captain Salvador Vallejo and Jacob P. Leese. I should here state that down to October, 1845, I had maintained at my own expense a respectable garrison at Sonoma, which often, in union with the settlers, did good service in campaigns against the Indians; but at last, tired of spending money which the Mexican Government never refunded, I disbanded the force, and most of the soldiers who had constituted it left Sonoma. Thus in June, 1846, the Plaza was entirely unprotected, although there were ten pieces of artillery, with other arms and munitions of war. The parties who unfurled the Bear Flag were well aware that Sonoma was without defense, and lost no time in taking advantage of this fact, and carrying out their plans. Years before, I had urgently represented to the Government of Mexico the necessity of stationing a sufficient force on the frontier, else Sonoma would be lost, which would be equivalent to leaving the rest of the country an easy prey to the invader. What think you, my friends, were the instructions sent me in reply to my repeated demands for means to fortify the country? These instructions were that I should at once force the immigrants to recross the Sierra Nevada, and depart from the territory of the Republic. To say nothing of the inhumanity of these orders, their execution was physically impossible—first, because the immigrants came in autumn, when snow covered the Sierra so quickly as to make a return impracticable. Under the circumstances, not only I, but Commandante General Castro, resolved to provide the immigrants with letters of security, that they might remain temporarily in the country. We always made a show of authority, but well convinced all the time that we had no power to resist the invasion which was coming upon us. With the frankness of a soldier I can assure you that the American immigrants never had cause to complain of the treatment they received at the hands of either authorities or citizens. They

carried us as prisoners to Sacramento, and kept us in a calaboose for sixty days or more, until the authority of the United States made itself respected, and the honorable and humane Commodore Stockton returned us to our hearths."

Upon the seizure of their prisoners the revolutionists at once took steps to appoint a Captain, who was found in the person of John Grigsby, for Ezekiel Merritt wished not to retain the permanent command; a meeting was then convened at the barracks, situated at the northeast corner of the Plaza, under the presidency of William B. Ide; Doctor Robert Semple being Secretary. At this conference Semple urged the independence of the country, stating that having once commenced they must proceed, for to turn back was certain death. The convention had not been dissolved, however, when it was rumored that secret emissaries were being dispatched to the native rancheros to make them acquainted with recent events; such being the case it was deemed politic to transfer the prisoners to safe-keeping in Sutter's Fort. Prior to this being done, however, the captors and captives entered into a treaty or covenant, the English and Spanish of which we here append:—

"We, the undersigned, having resolved to establish a government upon Republican principles, in connection with others of our fellow-citizens, and having taken up arms to support it, we have taken three Mexican officers as prisoners, General M. G. Vallejo, Lieutenant-Colonel Victor Prudon, and Captain D. Salvador Vallejo; having formed and published to the world no regular plan of government, feel it our duty to say that it is not our intention to take or injure any person who is not found in opposition to the cause, nor will we take or destroy the property of private individuals further than is necessary for our immediate support.

EZEKIEL MERRITT.
R. SEMPLE.
WILLIAM FALLON.
SAMUEL KELSEY.

"Conste pr. la preste. qe. habiendo sido sorprendido pr. unanumeros a fuerza armada qe. me tomó prisionero y a los gefes y oficiales qe. estaban de guarnicion en esta plaza de la qe. se apoderó la espresada fuerza, habiendola encontrado absolutamte: indefensa, tanto yo. como los S. S. oficiales qe. suscribero comprometemos nuestra palabra de honor de qe. estandobajo las garantias de prisionero de guerra, no tomaremos las armas ni a favor ni contra repitida fuerza armada de quien hemos recibiro la intimacion del monto. y un escrito firmado qe. garantiza nuestras vidas, familias de intereses, y los de todo el vicidario de esta jurisdn. mientras no hagamos oposicion.

Sonoma, Junio 14 de 1846.

VCR. PRUDON.

M. G. VALLEJO.
SALVADOR VALLEJO."

But to our tale! A guard consisting of William B. Ide, as Captain, Captain Grigsby, Captain Merritt, Kit Carson, William Hargrave, and five others, being, happily for their comfort, supplied with horses by General Vallejo, took up the line of march for Sutter's Fort, but not being used to "wars alarums," they, with peculiar inconsistency, on their first night's encampment placed neither sentry nor vidette and courted Morpheus in serene confidence. Indeed so sound was the sleep of all, that

Jaun de Padilla and his party completely surrounded them during that night, and their chief absolutely held verbal communication with General Vallejo while his captors slept. Padilla's mission was to inform his compatriots that he had then with him force strong enough to surprise and slay the Americanos before there was time for them to fly to arms, but that he did not wish to put the scheme into execution without the instructions and consent of the General, whose rank entitled him to the first place in such a demonstration. With a self-sacrifice that cannot be too highly commended, Vallejo refused his consent to the perpetration of so diabolical a plan, but stated that he would accompany his custodians, believing in their honor; that he would be detained but a short time, and finally advised Padilla and his followers to return to their homes and disperse, else their action would lead to disastrous consequences to all, without the attainment of any good. Of this episode Lieutenant Revere says: "This was not told to me by Vallejo, but by a person who was present, and it tallies well with the account given by the revolutionists themselves, several of whom informed me that no guard was kept by them that night, and that the prisoners might have easily escaped had they felt so inclined. The same person also told me that when Vallejo was called out of bed and made a prisoner in his own house, he requested to be informed as to the plans and objects of the revolutionists, signifying his readiness to collect and take command of a force of his countrymen in the cause of independence."

Pushing on ahead of the main party, on the morning of the 16th June, Captain Merriitt and Kit Carson carried the news of the taking of Sonoma and the capture of the General and his officers. In the evening of that day they were handed over to the safe-keeping of Captain Sutter who with soldierly courtesy received them.

On the seizure of the citadel of Sonoma, the national ensign of Mexico was found floating from the flagstaff-head by the Independents, as they sometimes called themselves; it had escaped their notice during the excitement of the morning. It was at once lowered, and then arose a discussion as to the manner of banner they should claim as their own. There were no two questions as to the necessity of their being a star in the ground-work, but finding that the "lone star" had been claimed by Texas, their ingenuity was taxed to the utmost, with what result we shall show below, to devise an appropriate flag; first, however, let us follow the diversity of opinions which obtain as to the date on which Sonoma was captured by the Independents.

Mr. Thomas C. Lancey, whose communications to *The Pioneer*, a newspaper published in San José, have been read with much avidity, and is an authority on "early times," remarks: "There have been so many questions raised during this year (1878) in relation to the date of the hoisting of the 'Bear Flag,' who made it and what material it was manufactured from, as well as the date of the capture of Sonoma, and the number of men who marched that morning, that I shall give the statements of several who are entitled to a hearing, as they were actors in that drama.

"The writer of this (Mr. Lancey) was here in 1846, and served during the war, and has never left the country since, but was not one of the 'Bear Flag party,' but claims, from his acquaintance with those who were, to be able to form a proper opinion as to the correctness of these dates. Dr. Robert Semple, who was one of that party from the first, says, in his diary, that they entered Sonoma at early dawn on the



Wm Whidden

14th of June, 1846, thirty-three men, rank and file. William B Ide, who was chosen their commander, says in his diary the same. Captain Henry L. Ford, another of this number, says, or rather his historian, S. H. W., of Santa Cruz, who I take to be the Rev. S. H. Willey, makes him say they captured Sonoma on the 12th of June with thirty-three men. Lieutenant William Baldrige, one of the party, makes the date the 14th of June, and number of men twenty-three. Lieutenant Joseph Warren Revere, of the United States ship *Portsmouth*, who hauled down the 'Bear Flag,' and hoisted the American flag on the 9th of July, and at a later date commanded the garrison, says the place was captured on the 14th of June." To these must be added the documentary proof produced above, fixing the date of the capture of General Vallejo and therefore the taking of Sonoma as June 14, 1846.

Of the manufacture of the ensign, the same writer says: "A piece of cotton was obtained, and a man by the name of Todd proceeded to paint from a pot of red paint a star in the corner. Before he was finished, Henry L. Ford, one of the party, proposes to paint on the center, facing the star, a grizzly bear. This was unanimously agreed to, and the grizzly bear was painted accordingly. When it was done, the flag was taken to the flagstaff and hoisted amid the hurrahs of the little party, who swore to defend it with their lives."

Lieutenant Revere says of it: "A flag was also hoisted bearing a grizzly bear rampant, with one stripe below and the words 'Republic of California' above the bear, and a single star in the Union." This gentleman was he who hauled down the flag, July 9, 1846.

The *Western Shore Gazetteer* has the following version: "On the 14th of June, 1846, the little handful of men proclaimed California a free and independent republic, and on that day hoisted their flag, known as the 'Bear Flag,' this consisted of a strip of worn-out cotton domestic, furnished by Mrs. Kelly, bordered with red flannel, furnished by Mrs. John Sears, who had fled from some distant part of Sonoma for safety, upon hearing that war had been thus commenced. In the center of the flag was a representation of a bear, *en passant*, painted with Venetian red, and in one corner was painted a star of the same color. Under the bear were inscribed the words 'Republic of California,' put on with common writing ink. This flag is preserved by the California Pioneer Association, and may be seen at their rooms in San Francisco. It was designed and executed by W. L. Todd."

Under the caption, "A True History of the Bear Flag," the *Sonoma Democrat* tells this story: "The rest of the revolutionary party remained in the town. Among them were three young men, Todd, Benjamin Duell, and Thomas Cowie. A few days after the capture, in a casual conversation between these young men, the matter of a flag came up. They had no authority to raise the American flag, and they determined to make one. Their general idea was to imitate, without following too closely, their national ensign. Mrs. W. B. Elliott had been brought to the town of Sonoma by her husband from his ranch on Mark West Creek, for safety. The old Elliott cabin may be seen to this day on Mark West Creek, about a mile above the Springs. From Mrs. Elliott, Ben. Duell got a piece of new red flannel, some white domestic, needles and thread. A piece of blue drilling was obtained elsewhere. From this material, without consultation with any one else, these

three young men made the Bear Flag. Cowie had been a saddler. Duell had also served a short time at the same trade. To form the flag, Duell and Cowie sewed together alternate strips of red, white, and blue. Todd drew in the upper corner a star, and painted on the lower a rude picture of a grizzly bear, which was not standing, as has been sometimes represented, but was drawn with head down. The bear was afterwards adopted as the design of the Great Seal of the State of California. On the original flag it was so rudely executed that two of those who saw it raised have told us that it looked more like a hog than a bear. Be that as it may, its meaning was plain—that the revolutionary party would, if necessary, fight their way through at all hazards. In the language of our informant, it meant that there was no back out; they intended to fight it out. There were no halyards on the flagstaff which stood in front of the barracks. It was again reared, and the flag, which was soon to be replaced by that of the Republic, for the first time floated on the breeze."

In addition to these authorities which we have quoted, none less distinguished than John S. Hittell, historiographer for the Society of California Pioneers, and H. H. Bancroft, the Pacific Coast historian, have fixed the date of raising the Bear Flag as June 12th and 15th respectively. The correctness of these dates was questioned by William Winter, Secretary of the Association of Territorial Pioneers of California, and Mr. Lancey, and a correspondence was entered into with all the men known to be alive who were of that party, and others who were likely to be able to throw any light upon the subject. Among many answers received, we quote *verbatim* the following portion of a letter from James G. Bleak:—

"ST. GEORGE, Utah, April 16, 1878.

"TO WILLIAM WINTER, ESQ., SECRETARY OF ASSOCIATION TERRITORIAL PIONEERS OF CALIFORNIA—*Dear Sir:* Your communication of 3d instant is placed in my hands by the widow of a departed friend—James M. Ide, son of William B.—as I have at present in my charge some of his papers. In reply to your question asking for the 'correct date' of raising the Bear Flag at Sonoma, in 1846, I will quote from the writing of William B. Ide, deceased: 'The said Bear Flag made of plain cotton cloth, and ornamented with the red flannel of a shirt from the back of one of the men, and christened by the 'California Republic,' in red paint letters on both sides, was raised upon the standard where had floated on the breezes the Mexican Flag aforetime; it was the 14th of June, '46. Our whole number was twenty-four, all told. The mechanism of the flag was performed by William L. Todd, of Illinois. The grizzly bear was chosen as an emblem of strength and unyielding resistance.'"

As possibly the best testimony that can be produced, we now publish the following letter from the artist himself, which he communicated to the *Los Angeles Express*:—

"LOS ANGELES, January 11, 1878.

"Your letter of the 9th inst. came duly to hand, and in answer I have to say in regard to the making of the original Bear Flag of California, at Sonoma, in 1846, that when the Americans, who had taken up arms against the Spanish *régime* had determined what kind of a flag should be adopted, the following persons performed the work: Granville P. Swift, Peter Storm, Henry L. Ford, and myself; we procured, in

the house where we made our headquarters, a piece of new, unbleached cotton domestic, not quite a yard wide, with strips of red flannel about four inches wide, furnished by Mrs. John Sears, on the lower side of the canvas. On the upper left hand corner was a star, and in the center was the image made to represent a bear *passant*, so common in this country at the time. The bear and star were painted with paint made of linseed oil and Venetian red or Spanish brown. Underneath the bear were the words 'California Republic.' The other persons engaged with me got the materials together, while I acted as artist. The forms of the bear and star and the letters were first lined out with pen and ink by myself, and the two forms were filled in with the red paint, but the letters with ink. The flag mentioned by Mr. Hittell with the bear rampant, was made, as I always understood, at Santa Barbara, and was painted black. Allow me to say that at that time there was not a wheelwright shop in California. The flag I painted I saw in the rooms of the California Pioneers in San Francisco, in 1870, and the Secretary will show it to any person who will call on him at any time. If it is the one that I painted, it will be known by a mistake in tinting out the words 'California Republic.' The letters were first lined out with a pen, and I left out the letter 'I,' and lined out the letter 'C' in its place. But afterwards I lined out the letter 'I,' over the 'C,' so that the last syllable of 'Republic' looks as if the two letters were blended. Yours respectfully, WM. L. TODD."

The following remarks and letter on the matter appeared in the *San Francisco Evening Post* of April 20, 1874: "General Sherman has just forwarded to the Society of California Pioneers, the guidon which the Bear Company bore at the time of the conquest of California. The relic is of white silk, with a two-inch wide red stripe at the bottom, and a bear in the center, over which is the inscription: 'Republic of California.' It is accompanied by the following letter from the donor:—

"SOCIETY OF CALIFORNIA PIONEERS, SAN FRANCISCO, CALIFORNIA—

"*Gentlemen:* At the suggestion of General Sherman, I beg leave to send to your society here with a guidon, formerly belonging to the Sonoma troop of the California Battalion of 1846, for preservation. This guidon I found among the effects of that troop when I hauled down the Bear Flag and substituted the flag of the United States at Sonoma, on the 9th of July, 1846, and have preserved it ever since. Very respectfully, etc., JOS. W. REVERE, *Brigadier-General.*

"*Morristown, N. J., February 20, 1874.*"

Let us now see what was being done by the little garrison in Sonoma. Almost their first duty was the election of subaltern and non-commissioned officers, those chosen being, Henry L. Ford, First Lieutenant; Granville P. Swift, First Sergeant; Samuel Gibson, Second Sergeant. On the first regular parade of the little army they were addressed by Lieutenant Ford in the following pithy terms: "My countrymen! We have taken upon ourselves a very responsible duty. We have entered into a war with the Mexican nation. We are bound to defend each other or be shot! There's no half-way about it. To defend ourselves we must have discipline. Each of you has had a voice in choosing your officers. Now they are chosen, they must be obeyed." To all of which the company with one voice agreed. In order to throw some more

light upon the internal machinery of the organization, we will continue Mr. Ide's letter, the first portion of which has already been quoted. He remarks further: "The men were divided into two companies of ten men each. The First Artillery were busily engaged in putting the cannon in order, which were charged doubly with grape and canister. The First Rifle Company were busied in cleaning, repairing, and loading the small arms. The Commander, after setting a guard and posting a sentinel on one of the highest buildings, to watch the approach of any persons who might feel a curiosity to inspect our operations, directed his leisure to the establishment of some system of finance whereby all the defenders' families might be brought within the lines of our garrison, and supported. Ten thousand pounds of flour were purchased on the credit of the Government and deposited in the garrison; and an account was opened, on terms agreed upon, for a supply of beef; this and a few barrels of salt constituted our main supplies. Whisky was contrabanded altogether. After the first round of duties was performed, as many as could be spared off guard were called together, and our situation fully explained to the men by the commanders. It was fully represented that our success—nay, our very life,—depended on the magnanimity and justice of our course of conduct, coupled with our sleepless vigilance and care. (But ere this we had gathered as many of the surrounding citizens as was possible, and placed them out of harm's way, between four strong walls. They were more than twice our number.) The Commander chose from these strangers the most intelligent, and by the use of an interpreter went on to explain the cause of our coming together; our determination to offer equal protection and equal justice to all good and virtuous citizens; that we had not called them there to rob them of any portion of their property, nor to disturb them in their social relations one with another; nor yet to desecrate their religion."

It will thus be seen from the preceding remarks that those under the protection of the Bear Flag party were not a few and that their number was being continually augmented by fresh arrivals in Sonoma, it was therefore thought expedient to ascertain what protection, if any, they might expect from the authorities of the United States. To this end they lost no time in dispatching a messenger to Captain Montgomery, of the United States ship *Portsmouth*, then lying in the port of Yerba Buena, to report the action taken by them and expressing, farther, their determination never to lay down their arms until the independence of the country they had adopted had been fully established. This messenger returned on the 17th of June in company with John Stormy Missroom, First Lieutenant, and John E. Montgomery, son and clerk to Captain Montgomery, who were dispatched, presumably to report on the state of affairs. The commanding officer of the ship-of-war also sent official communications to Fremont and Sutter on the 18th, and the day after, the 19th, Fremont arrived at Sutter's Fort with twenty-two men, and two prisoners, José Noriega, of San José, and Vicente Peralta, of what is now Alameda County.

About this time another message was sent out from the little garrison, but in an opposite direction. Ascertaining that there was an insufficient supply of gunpowder in the magazine to meet possible contingencies, Lieutenant Ford dispatched two men named Cowie and Fowler to the Sotoyome Rancho of Captain H. D. Fitch (where now the town of Healdsburg stands) to procure some ammunition. These messengers never returned! Their tragic fate has been thus graphically described in the

"History of Sonoma County." Before starting they were cautioned against proceeding by traveled ways; good advice, which, however, they only followed for the first ten miles of their journey, after which they struck into the main thoroughfare to Santa Rosa. At about two miles from that place they were attacked and slaughtered by a party of native Californians. Two other couriers were detailed on special duty; they, too, were captured, but were better treated. Receiving no intelligence from either of the parties, foul play was suspected, therefore, on the morning of the 20th of June, Sergeant Gibson was ordered, with four men, to proceed to the Sotoyome Rancho, learn, if possible, of the whereabouts of the missing men, and procure the powder. They went as directed, secured the ammunition, but got no news of the missing men. As they were passing Santa Rosa, on their return, they were attacked at daylight by a few Californians, and, turning upon their assailants, captured two of them, Blas Angelina and Bernardino Garcia *alias* Three-fingered Jack, and took them to Sonoma. They told of the taking and slaying of Cowie and Fowler, and that their captors were: Ramon Mesa Domingo, Mesa Juan Padilla, Ramon Carrillo, Bernardino Garcia, Blas Angelina, Francisco Sibrian, Ygnacio Balensuella, Juan Peralta, Juan Söleto, Inaguan Carrillo, Mariano Miranda, Francisco Gracia, Ygnacio Stigger. The story of their death is a sad one. After Cowie and Fowler had been seized by the Californians, they encamped for the night, and the following morning determined in council what should be the fate of their captives. A swarthy New Mexican, named Mesa Juan Padilla, and Three-fingered Jack, the Californian, were loudest in their denunciation of the prisoners as deserving of death, and, unhappily, their counsels prevailed. The unfortunate young men were then led out, stripped naked, bound to a tree with a lariat, while, for a time, the inhuman monsters practised knife-throwing at their unprotected bodies, the victims, the while, praying to be shot. They then commenced throwing stones at them, one of which broke the jaw of Fowler. The fiend, Three-fingered Jack, then advancing, thrust the end of his riata (a raw-hide rope) through the mouth, cut an incision in the throat, and then made a tie, by which the jaw was dragged out. They next proceeded to kill them slowly with their knives. Cowie, who had fainted, had the flesh stripped from his arms and shoulders, and pieces of flesh were cut from their bodies and crammed into their mouths, they being finally disemboweled. Their mutilated remains were afterwards found, and buried where they fell, upon the farm now or lately owned by George Moore, two miles north of Santa Rosa.

No stone marks the graves of these martyrs; no loving hand tends to them; there they remain, uncared for save by the weary ploughman; their occupants are "unwept, unhonored, and unsung." Time, the great annihilator will soon level the mounds; in a few short years, these names will have been forgotten; it is to perpetuate such matters in a tangible form that county histories are written.

We have been able to trace the end of two out of the thirteen murderers—truly a devil's dozen. Bernardino Garcia *alias* Three-fingered Jack was killed by Captain Harry Love's Rangers, July 27, 1853, at Pinolé Pass, near the Merced River, with the bandit Joaquín Murieta, while Ramon Carrillo met his death at the hands of the Vigilantes, between Los Angeles and San Diego, May 21, 1864. It is due to his brother, a respected citizen of Santa Rosa, to say that he denies the participation of Ramon Carrillo in the dastardly deed noted above.

At Sonoma the Independents were gradually moving the rather clogged wheels of a governmental machine. On June 18th, Captain Ide, having received the approbation of his comrades, issued the following document:—

"A Proclamation to all persons and citizens of the District of Sonoma, requesting them to remain at peace and follow their rightful occupations, without fear of molestation.*

"The Commander-in-Chief of the troops assembled at the Fortress of Sonoma gives his inviolable pledge to all persons in California, not found under arms, that they shall not be disturbed in their persons, their property, or social relations, one with another, by men under his command.

"He also solemnly declares his object to be: First, to defend himself and companions in arms who were invited to this country by a promise of lands on which to settle themselves and families; who were also promised a Republican Government; when, having arrived in California, they were denied the privilege of buying or renting lands of their friends, who, instead of being allowed to participate in or being protected by a Republican Government, were oppressed by a military despotism; who were even threatened by proclamation by the chief officers of the aforesaid despotism with extermination if they should not depart out of the country, leaving all their property, arms, and beasts of burden; and thus deprived of their means of flight or defense, were to be driven through deserts inhabited by hostile Indians to certain destruction.

"To overthrow a Government which has seized upon the property of the missions for its individual aggrandizement; which has ruined and shamefully oppressed the laboring people of California by enormous exactions on goods imported into the country, is the determined purpose of the brave men who are associated under my command.

"I also solemnly declare my object, in the second place, to be to invite all peaceable and good citizens of California, who are friendly to the maintenance of good order and equal rights, and I do hereby invite them to repair to my camp at Sonoma, without delay, to assist us in establishing and perpetuating a Republican Government, which shall secure to all, civil and religious liberty; which shall encourage virtue and literature; which shall leave, unshackled by fetters, agriculture, commerce, and manufactures.

"I further declare that I rely upon the rectitude of our intentions, the favor of heaven, and the bravery of those who are bound and associated with me by the principles of self-preservation, by the love of truth and the hatred of tyranny, for my hopes of success.

"I furthermore declare that I believe that a Government to be prosperous and happy, must originate with the people who are friendly to its existence; that the citizens are its guardians, the officers its servants, its glory its reward.

"Headquarters, Sonoma, June 18, 1846.

WILLIAM B. IDE."

The intelligence of the establishment of the California Republic, and the determination of the Bear Flag Party to maintain it, spread among the rancheros like

*The District of Sonoma then embraced all territory lying northward from the Bay of San Francisco to the Oregon line, and west of the Sacramento River.

wild-fire; both parties labored incessantly and arduously for the conflict, and while the Independents guided their affairs from the citadel at Sonoma, General Castro ruled from his headquarters at Santa Clara, whence, on learning of the success at Sonoma, he issued the following two proclamations:—

"The citizen José Castro, Lieutenant-Colonel of Cavalry in the Mexican Army, and acting General Commandante of the Department of California.

"FELLOW-CITIZENS: The contemptible policy of the agents of the United States of North America in this Department has induced a number of adventurers, who, regardless of the rights of men, have designedly commenced an invasion, possessing themselves of the town of Sonoma, taking by surprise all the place, the military commander of that border, Col. Don Mariano Guadalupe Vallejo, Lieutenant-Colonel Don Victor Prudon, Captain Don Salvador Vallejo, and Mr. Jacob P. Leese.

"FELLOW-COUNTRYMEN: The defense of our liberty, the true religion which our fathers possessed, and our independence, calls upon us to sacrifice ourselves rather than those inestimable blessings. Banish from your hearts all petty resentments; turn you, and behold yourselves, these families, these innocent little ones, which have unfortunately fallen into the hands of our enemies, dragged from the bosoms of their fathers, who are prisoners among foreigners, and are calling upon us to succor them. There is still time for us to rise *en masse*, as irresistible as retribution. You need not doubt but that Divine Providence will direct us in the way to glory. You should not vascillate because of the smallness of the garrison of the general headquarters, for he who will first sacrifice himself will be your friend and fellow-citizen,

"Headquarters, Santa Clara, June 17, 1846.

JOSÉ CASTRO."

"The citizen José Castro, Lieutenant-Colonel of Cavalry in the Mexican Army and acting Commandante of the Department of California.

"All foreigners residing among us, occupied with their business, may rest assured of the protection of all the authorities of the Department while they refrain entirely from all revolutionary movements.

"The General Comandancia under my charge will never proceed with vigor against any persons, neither will its authority result in mere words wanting proof to support it; declarations shall be taken, proofs executed, and the liberty and rights of the laborious, which is ever commendable, shall be protected.

"Let the fortunes of war take its chance with those ungrateful men, who, with arms in their hands, have attacked the country, without recollecting that they were treated by the undersigned with all the indulgence of which he is so characteristic. The imperative inhabitants of the Department are witness to the truth of this. I have nothing to fear; my duty leads me to death or victory. I am a Mexican soldier, and I will be free and independent, or I will gladly die for those inestimable blessings.

JOSÉ CASTRO.

"Headquarters, Santa Clara, June 17, 1846."

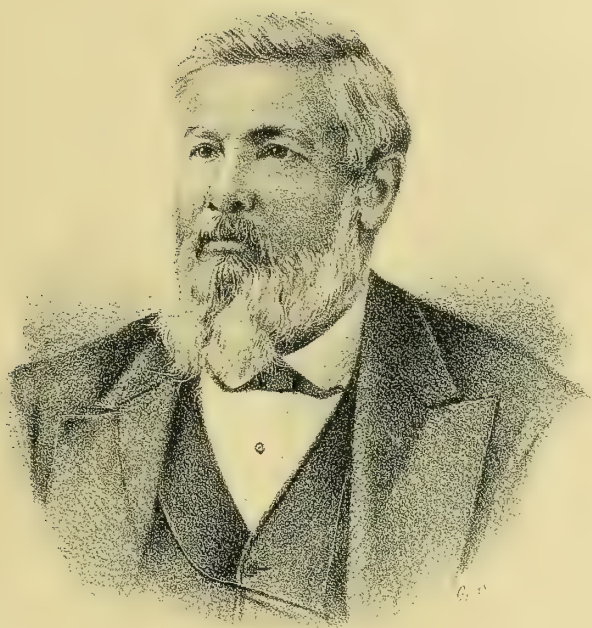
Under Captain Joaquin de la Torre, on June 20th, a body of about seventy Californians crossed the Bay of San Francisco, and being joined by a party under Carrillo

and Padilla marched to the vicinity of the mission of San Rafael, while Castro remained at Santa Clara, recruiting his forces, by the utmost pressure, but only succeeding in bringing into the field a squad of two hundred forced volunteers. Of the General's system of recruiting Lieutenant Revere writes: "I heard that on a feast day, when the rancheros came to the mission in their 'go-to-meeting' clothes, with their wives and children, Castro seized their horses and forced the men to volunteer in defense of their homes, against *los salvajes Americanos*." On the evening of June 27th, Castro left Santa Clara with his army, and proceeding around the head of the Bay of San Francisco as far as the San Leandro Creek, in what is now Alameda County, halted at the Estudillo Rancho, where let us leave him for the present.

Fremont, at this juncture, found that the time had now come to give his countenance and aid to the revolution which he had fostered, therefore, on June 21st, he transferred his *impedimenta* to the care of Captain Sutter at the fort, recrossed the American River to Sinclair's Rancho, was there joined by Pearson B. Redding and the trappers about Sutter's Fort, and quietly awaited, like Micawber, "for something to turn up." He had not to remain inactive long. On the afternoon of the 23d, Harrison Pierce (who had settled in Napa Valley in 1843) came into camp hurried and excited. He told of how he had ridden the eighty intervening miles with but one change of horses; he said that the handful of patriots were greatly concerned, for news had arrived that General Castro and an overwhelming force was advancing on the town, hurling threats of recapture and hanging. Fremont desired him to return and say that he would move to their assistance as soon as he could put ninety men in the saddle. With this news and a fresh mount, Pierce returned to his comrades, while, on the 23d, Captain Fremont and his ninety Mounted Rifles marched from Sinclair's—a curious looking cavalcade. One of the party has left the following description of them: "There were Americans, French, English, Swiss, Poles, Russians, Prussians, Chilians, Germans, Greeks, Austrians, Pawnees, native Indians, etc., all riding side by side, and talking a polyglot lingual hash never exceeded in diversibility since the confusion of tongues at the Tower of Babel. Some wore the relics of their home-spun garments; some relied upon the antelope and the bear for their wardrobe; some lightly habited in buckskin leggings and a coat of war paint, and their weapons were equally various. There was the grim old hunter with his long, heavy rifle; the farmer with his double-barreled shot-gun; the Indian with his bow and arrows, and others with horse-pistols, revolvers, sabres, ships' cutlasses, bowie-knives, and 'pepper-boxes' (Allen's revolvers)." Though the Bear Flag army was incongruous in *personnel*, as a body it was composed of the best fighting material. Each of them was inured to hardship and privation, self-reliant, fertile in resources, versed in woodcraft and Indian fighting, accustomed to handle fire-arms, and full of energy and daring. It was a band of hardy adventurers, such as in an earlier age wrested this land from the feeble aborigines. With this corps Fremont arrived at Sonoma at two o'clock on the morning of June 25, 1846, having made forced marches.

Let us make a slight divergence from the chronological order of things so as to make Captain Fremont's next move sequent on his last.

We have already spoken of the horrible and atrocious butchery of Cowie and Fowler, by the party under Mesa Juan Padilla. This gang a few days thereafter



Richard Threlfall

captured William L. Todd, whose name has already appeared in this chapter as the artist of the Bear Flag, while he was trying to catch a stray horse that had escaped to a short distance from the barracks at Sonoma. They bore him off, and falling in with another man, he too was seized and led into captivity. This party of Padilla's, being occasionally in a playful mood, regaled Todd with throat-cutting tales, of which he was usually the hero, while in their more serious moments they actually threatened to carry their banterings into tragic execution. Fortunately he spoke the Spanish language, and though slightly, yet with sufficient force to make them understand that his death would peal the knell of General Vallejo's doom. He and his companion in misfortune, with whom he had no opportunity to converse, but who appeared like an Englishman—a half-fool and common loafer—were conveyed to the Indian Rancheria called Olompali, about eight miles from the present town of Petaluma.

For the purpose of liberating the prisoners, and keeping the enemy in check until the arrival of Captain Fremont, Lieutenant Ford mustered a squad, variously stated at from twenty to twenty-three men, among whom were Granville P. Swift, Samuel Kelsey, William Baldrige, and Frank Bedwell, names more or less familiar to us, and on June 23d, taking with them the two prisoners, Blas Angelina and Three-fingered Jack, marched from Sonoma for where it was thought the Californians had established their headquarters. Here they learned from some Indians, under considerable military pressure, that the Californian troops had left three hours before. They now partook of a hasty meal, and with one of the Indians pressed into the service as guide, proceeded towards the Laguna de San Antonio, which lies on the present boundary line between Marin and Sonoma Counties, and that night halted within half a mile of the enemy's camp. At dawn they fell upon the place, took the only men they found there prisoners—their number was four, the remainder having left for San Rafael.

Here four men were left to guard the prisoners and horses, Lieutenant Ford with the remainder of his troops, starting in pursuit of the enemy. Leaving the lagoon of San Antonio, and having struck into the road leading to San Rafael, after a sharp ride of four miles they came in sight of the house pointed out to them as that in which the Californians had passed the night with Todd and "the man that looked like an Englishman," and were at that time within its walls, enjoying a mild *fiesta*. Ford's men were as ignorant of their proximity as the Californians were of theirs. However, when the advance guard arrived in sight of the corral, and perceiving it to be full of horses, with a number of Indian vaqueros around it, they made a brilliant dash to prevent the animals from being turned loose. While exulting over their good fortune at this unlooked-for addition to their cavalry arm, they were surprised to see the Californians rush out of the house and mount their ready-saddled quadrupeds. It should be mentioned that the house spoken of was situated on the edge of a plain, some sixty yards from a grove of brushwood. In a moment Ford formed his men into two half companies, and charged the enemy, who, perceiving the movement, retreated behind the grove of trees. From his position Ford counted them, and found that they were eighty-five, all told. Notwithstanding he had but fourteen in his ranks, nothing daunted, he dismounted his men, and, taking advantage of the protec-

tion offered by the brushwood, prepared for action. The Californians, observing this evolution, became emboldened and prepared for a charge. On this, Ford calmly awaited the attack, giving stringent orders that his rear rank should hold their fire until the enemy were well up, and that not a bullet should be wasted. On they came, with shouts, the brandishing of swords and the flash of pistols, until within thirty yards of the Americans, whose front files poured into the advancing foe a withering fire, and emptied the saddles of eight of the Mexican soldiery. On receiving this volley, the enemy turned to the right about, and made a break for the hills, while Ford's rear rank played upon them at long range, causing three more to bite the earth, and wounding two others. The remainder retreated helter-skelter to a hill in the direction of San Rafael, leaving Todd and his companion to join their succorers. Ford's little force having now attained the object of their expedition, and without a casualty, secured their prisoners of war, and going to the corral, where the enemy had a large drove of horses, changed their jaded nags for fresh ones, took the remainder—some four hundred—and retraced their victorious steps to Sonoma, where they were heartily welcomed by their anxious countrymen, who had feared for their safety.

We last left Captain Fremont at Sonoma, where he had arrived at two A. M. of the 25th of June. Having given his men and horses a short rest, and receiving a small addition to his force, he was once more in the saddle and started for San Rafael, where it was said Castro had joined de la Torre with two hundred and fifty men. At four o'clock in the afternoon they came in sight of the position supposed to be occupied by the enemy, which they cautiously approached until quite close, when they charged, the three first to enter being Fremont, Kit Carson, and J. W. Marshall (the future discoverer of gold), but they found the lines occupied by only four men, the gallant Captain de la Torre having withdrawn some three hours previously, leaving not a trace behind. Fremont camped on the ground that night, and on the following morning, the 26th, detailed scouting parties, while the main body remained quiescent at San Rafael for three days.

We have already seen that General Castro had marched forth from Santa Clara on the 27th of June, to chastise the Sonoma insurgents, and that he called a halt at the rancho of the Estudillos. From this place he dispatched three men to reconnoiter, viz.: Don José Reyes Berryessa (a retired Sergeant of the Presidio Company of San Francisco, who in 1837 was granted the tract of land on which the New Almaden mine is situated), with Ramon and Francisco de Haro (twin sons of Don Francisco de Haro, Alcalde of San Francisco in 1838-39), who landed on what is now known as Point San Quentin. On coming to the shore they were seized, with their arms, and on them were found written orders from Castro to Captain de la Torre (who it was not known had made his escape *via* Saucelito to Santa Clara) to kill every foreign man, woman, and child. These men were shot on the spot—first, as spies; second, in retaliation for the Americans so cruelly butchered by the Californians. Castro, upon finding that his men did not return, feared a like fate for himself; he therefore retraced his steps to the Santa Clara Mission, where he arrived on the 29th of June, after a prodigious expedition of two days' duration.

About this time a small party intended for service under the Bear Flag had been recruited by Captain Thomas Fallon, then of Santa Cruz, but subsequently

for many years a resident of Santa Clara County. This company, which consisted of only twenty-two men, crossed the Santa Cruz Mountains, entered the Santa Clara Valley at night, and called a halt about three miles to the south of San José. Here Fallon learned that Castro was close at hand with a force of two hundred men; therefore, acting on the principle that discretion is the better part of valor, he fell back into the mountains and there encamped, where we shall leave him for a space.

In the meantime great events had been occurring without. War had been declared by the United States against Mexico; General Scott had carried on a series of brilliant exploits, which culminated in the capture of the Mexican Capital, and the flag of the United States of America had been hoisted at Monterey July 7, 1846.

Two days later than the last-mentioned date there might have been seen a solitary horseman, urging the animal he bestrode, as if for bare life, through the then almost impassable gorges of the Santa Cruz Mountains, and across the wide expanse of the Santa Clara Valley. From his pre-occupied air it could be remarked that he bore a weighty burden upon his shoulders, and still he pressed his jaded steed onwards, whose gored sides and dilated nostrils gave evidence of being pushed to the utmost. Ere long both came to a halt within the open space fronting the Justice Hall, in San José. With a jubilant wave of his cap, our traveler announces to his compatriots the welcome intelligence of the glory of American arms. He hastily asks of the whereabouts of the General, whom he at once seeks; he finds him enjoying his *otium cum dignitate* in the seclusion of his well-appointed quarters at the Santa Clara Mission, and there the dusty voyager, Henry Pitts, delivers into the hands of the redoubtable soldier, José Castro, the dispatch which tells him of the defeat of Mexican arms, and the ascendancy of the United States forces. With moody brow he breaks the seal; he mounts his charger and proceeds to the pueblo; arrived there, he calls forth his men, forms them in line in front of the *juzgado*, and then exclaiming, "Monterey is taken by the Americans!" proceeds to read, in Spanish, the proclamation of Commodore Sloat, of which the annexed is a translation:—

"TO THE INHABITANTS OF CALIFORNIA:—

"The central troops of Mexico having commenced hostilities against the United States of America, by invading its territory, and attacking the troops of the United States, stationed on the north side of the Rio Grande, and with a force of seven thousand men, under the command of General Arista, which army was totally destroyed, and all their artillery, baggage, etc., captured, on the eighth and ninth of May last, by a force of twenty-three hundred men, under the command of General Taylor, and the city of Matamoras taken and occupied by the forces of the United States, and the two nations being actually at war by this transaction, I shall hoist the standard of the United States at Monterey, immediately, and shall carry it through California.

"I declare to the inhabitants of California, that although I come in arms with a powerful force, I do not come among them as an enemy to California; on the con-

trary, I come as their best friend, as henceforth California will be a portion of the United States, and its peaceable inhabitants will enjoy the same rights and privileges they now enjoy, together with the privilege of choosing their own magistrates and other officers for the administration of justice among themselves, and the same protection will be extended to them as to any other State in the Union. They will also enjoy a permanent Government, under which life and property, and the Constitutional right and lawful security to worship the Creator in the way most congenial to each one's sense of duty will be secured, which, unfortunately, the Central Government of Mexico cannot afford them, destroyed as her resources are by internal factions and corrupt officers, who create constant revolutions to promote their own interests and oppress the people. Under the flag of the United States, California will be free from all such troubles and expenses; consequently the country will rapidly advance and improve, both in agriculture and commerce; as, of course, the revenue laws will be the same in California as in all other parts of the United States, affording them all manufactures and produce of the United States free of any duty, and for all foreign goods at one-quarter the duty they now pay. A great increase in the value of real estate and the products of California may be anticipated.

"With the great interest and kind feeling I know the Government and people of the United States possess toward the citizens of California, the country cannot but improve more rapidly than any other on the continent of America.

"Such of the inhabitants, whether natives or foreigners, as may not be disposed to accept the high privileges of citizenship, and to live peacefully under the Government of the United States, will be allowed time to dispose of their property and remove out of the country, if they choose, without any restriction; or remain in it, observing strict neutrality.

"With full confidence in the honor and integrity of the inhabitants of the country, I invite the Judges, Alcaldes, and other civil officers, to execute their functions as heretofore, that the public tranquility may not be disturbed, at least until the Government of the Territory can be definitely arranged.

"All persons holding titles to real estate, or in quiet possession of lands under color of right, shall have these titles guaranteed to them.

"All churches, and the property they contain, in possession of the clergy of California, shall continue in the same right and possession they now enjoy.

"All provisions and supplies of every kind furnished by the inhabitants for the use of the United States ships and soldiers, will be paid for at fair rates, and no private property will be taken for public use without just compensation at the moment.

"JOHN D. SLOAT,

"Commander-in-Chief of the U. S. Naval Forces in the Pacific Ocean."

The reading of the foregoing concluded, Castro is said to have exclaimed: "What can I do with a handful of men against the United States? I am going to Mexico! All you who wish to follow me, right-about-face! All that wish to remain can go to their homes!" Only a very few chose to follow the fortunes of the Don into Mexico, whither he proceeded on that same day, first, however, taking prisoner Captain Charles M. Weber, who, some years previously, had ranged himself in the opposite faction to Castro, and who was not released until their arrival at Los Angeles.

We last saw Captain Fremont in the vicinity of San Rafael lying in a state of watchful inactivity. There he remained until the 2d of July, when he returned to Sonoma, where he commenced the labors of a more perfect organization, their plan being to keep the Californians to the southern part of the Territory until the immigrants then on their way had time to cross the Sierra Nevada. The national holiday having been celebrated with due pomp, the next day was devoted to the formation and organization of the California Battalion of Mounted Riflemen, two hundred and fifty strong, officered as follows: Commandant, John C. Fremont, Brevet-Captain and Second Lieutenant of Topographical Engineers; Adjutant, and Inspector, with the rank of Captain, Archibald A. Gillespie, First Lieutenant of Marines. Of the formation of this battalion Fremont says: "In concert and co-operation with the American settlers, and in the brief space of thirty days, all was accomplished north of the Bay of San Francisco, and independence declared on the 5th of July (1846). This was done at Sonoma, where the American settlers had assembled. I was called, by my position and by the general voice, to the chief direction of affairs, and on the 6th of July, at the head of the mounted riflemen, set out to find Castro."

We have already shown that the war between Mexico and the United States had placed California in the hands of the latter, and that the national ensign was hoisted at Monterey on July 7th. On the morning of the 9th Lieutenant Joseph Warren Revere left the United States ship *Portsmouth*, then lying in the harbor at Yerba Buena, in one of her boats, and on reaching Sonoma did, at noon of that day, haul down the Bear Flag and raise in its place the Stars and Stripes; and at the same time forwarded one to Sutter's Fort by the hands of William Scott, and another to Captain Stephen Smith, at Bodega. Thus ended the Bear Flag War, of which the following is the Mexican account:—

"About a year before the commencement of the war a band of adventurers, proceeding from the United States, and scattering over the vast territory of California, awaited only the signal of their Government to take the first step in the contest for usurpation. Various acts committed by these adventurers in violation of the laws of the country indicated their intentions. But unfortunately the authorities then existing, divided among themselves, neither desired nor knew how to arrest the tempest. In the month of July, 1846, Captain Fremont, an Engineer of the U. S. A., entered the Mexican territory with a few mounted riflemen, under the pretext of a scientific commission, and solicited and obtained from the Commandant-General, D. José Castro, permission to traverse the country. Three months afterwards, on the 19th of May, that same force and their commander took possession, by armed force, and surprised the important town of Sonoma, seizing all the artillery, ammunition, armaments, etc., which it contained.

"The adventurers scattered along the Sacramento River, amounting to about four hundred, one hundred and sixty men having joined their force. They proclaimed for themselves, and on their own authority, the independence of California, raising a rose-colored flag with a bear and a star. The result of this scandalous proceeding was the plundering of the property of some Mexicans and the assassination of others—three men shot as spies by Fremont, who, faithful to their duty to their country, wished to make resistance. The Commandant-General demanded explanations on the subject

of the Commander of an American ship-of-war, the *Portsmouth*, anchored in the Bay of San Francisco; and although it was positively known that munitions of war, arms, and clothing were sent on shore to the adventurers, the Commander, J. B. Montgomery, replied that 'Neither the Government of the United States nor the subalterns had any part in the insurrection, and that the Mexican authorities ought, therefore, to punish its authors in conformity with the laws.'"

On leaving Sonoma with the California Battalion says Fremont: "We had to make the circuit of the head of the bay, crossing the Sacramento River (at Knight's Landing). On the 10th of July, when within ten miles of Sutter's Fort, we received (by the hands of William Scott*) the joyful intelligence that Commodore John Drake Sloat was at Monterey and had taken it on the 7th of July, and that war existed between the United States and Mexico. Instantly we pulled down the flag of Independence (Bear Flag) and ran up that of the United States amid general rejoicing, and a national salute of twenty-one guns on the morning of the 11th from Sutter's Fort, with a brass four-pounder called 'Sutter.'" Thence afterwards proceeding down the valley of the San Joaquin, they found themselves at the San Juan Mission, where Fremont was joined by Captain Fallon, who the reader may recollect we last saw encamped in the Santa Cruz Mountains. His adventures since we heard of him may thus be briefly told. Upon hearing of Castro's departure, he marched into the town of San José, seized the *Juzgado*, arrested Dolores Pacheco, the Alcalde, appointed an American citizen in his place, and on July 13th hoisted an American ensign on the flag-staff in front of the Court House, and opened direct land communication with Monterey; all of which he reported, as the following correspondence with United States authority in San Francisco will fully explain:—

"U. S. SHIP PORTSMOUTH, YERBA BUENA, July 13, 1846.

"SIR: I have just received your letter, with a copy of Mr. James Stokes' appointment as Justice of the Peace, at the pueblo; also a dispatch from the Commander-in-Chief of the U. S. Naval Forces, at Monterey, for which I thank you. By the bearer of them, I return a dispatch for Commodore Sloat, which I hope you will have an opportunity of forwarding to Monterey.

"I received your letter of July 12th, and wrote to you, by the bearer of it, on the 13th, an answer, advising you by all means to hoist the flag of the United States at the Pueblo of St. Joseph, as you expressed to do, if you had sufficient force to maintain it there; of course you will understand that it is not again to be hauled down.

"Agreeable to your request, I send you a proclamation of the Commander-in-Chief, in both languages, which I shall be glad to have distributed as far and generally as possible; and be pleased to assure all persons of the most perfect security from injuries to their persons and property, and endeavor, by every means in your power, to inspire them with confidence in the existing authorities and Government of the United States. I am, sir, respectfully, your obedient servant,

"JNO. B. MONTGOMERY,

"Commanding U. S. Ship *Portsmouth*.

"To Captain Thomas Fallon, Pueblo of St. Joseph, Upper California."

*This honor is claimed by Harry Bee and John Daubenbiss, but those quoted are Fremont's own words.

"U. S. SHIP PORTSMOUTH, YERBA BUENA, July 18, 1846.

"SIR: I have just received your letter with the official dispatch from Commodore Sloat, which has been accidentally delayed one day in its transmission from the pueblo, and am much obliged to you for sending it.

"I am gratified to hear that you have hoisted the flag of our country, and cannot but feel assured, as I certainly hope, that your zealous regard for its honor and glory will lead you nobly to defend it there. I am, sir, your obedient servant,

"JNO. B. MONTGOMERY, *Commander*.

"To Captain Thomas Fallon, at the Pueblo San José, Upper California."

After Fremont was joined by Fallon, whose company had been disbanded at Monterey in the meantime, the former sailed at once with his men in the *Cyane* for San Diego to cut off Castro's retreat, who had united with Pio Pico, thus giving them six hundred men. It is not our intention to follow the doings of the "Pathfinder" in his southern campaign, but to confine ourselves to the district continuous to the country whose chronicles we have undertaken to compile. His operations and their results are a matter of national history.

The Indians of the San Joaquin Valley had, during the year, 1846, commenced to be such a source of annoyance to the residents in that district that in the month of April complaint had been made to the Departmental Assembly, but up to July nothing had been done. Wishing to intercept Captain Fremont, in the month of July, Captain Montgomery penned the following dispatch to that officer:—

"U. S. SHIP PORTSMOUTH, YERBA BUENA, July 9, 1846.

"SIR: Last evening I was officially notified of the existence of war between the United States and the Central Government of Mexico, and have this morning taken formal possession of this place, and hoisted the flag in town. Commodore Sloat, who took possession of Monterey on the 7th instant, has directed me to notify you of the change in the political condition of things in California, and to request your presence at Monterey, with a view to future arrangements and co-operations, at as early a period as possible.

"I forwarded at two o'clock this morning a dispatch from Commodore Sloat to the Commandant at Sonoma, with an American flag for their use, should they stand in need of one. Mr. Watmough, who will hand you this, will give you all the news.

"Very respectfully, etc.,

JNO. B. MONTGOMERY.

"To Captain J. C. Fremont, Top. Engineer, Santa Clara."

On the same day (July 9th) the following order was given to Purser James H. Watmough by Captain Montgomery:—

"SIR: You will proceed to Santa Clara, and to the pueblo, if necessary, in order to intercept Captain Fremont, now on his march from the Sacramento; and on meeting, please hand him the accompanying communication, after which you will return to this place, without delay, and report to me."

Whether Watmough delivered Captain Montgomery's dispatch to Fremont at that time is uncertain; the presumption, however, is that he did, and that on reporting

such, as also the state of affairs in regard to the Indians in the San Joaquin Valley, he was instructed to occupy San José with thirty-five marines who had accompanied him as an escort, for we find that gallant Purser had established his headquarters at the *Jugado*, added some volunteers to his force, and, in the month of August, with thirty marines, and about the same number of citizen soldiers, crossed the mountains and gave combat to a party of a hundred Indians, which he drove back into their own valley. After doing much to allay the excitement which then existed, his command was withdrawn in the month of October.

Such was the military enthusiasm of the period that it was not as difficult then as it might be to-day to recruit an armed force. During the month of October, 1846, Commander Hull of the United States sloop-of-war *Warren*, in command of the northern district of California, commissioned two citizens of San José, Charles M. Weber and John M. Murphy, as Captain and Lieutenant in the land forces, and these gentlemen quickly raised a company of scouts. This recruiting spirit, however, was not confined to the actual settler solely, for, no sooner had the immigrants crossed the Sierra Nevada and arrived at Sutter's Fort than they were enrolled by Captain Granville Swift and forwarded to the south of the territory to augment the strength of Fremont's California Battalion. Among these was Joseph Aram, who received a commission and was detailed for duty at the mission of Santa Clara in charge of immigrant families; where during the inclement winter season the poor people suffered severe privations. Captain Aram managed to raise a company of thirty-two men, among them was the familiar name of Elam Brown of Contra Costa County, and established his headquarters, as desired, at Santa Clara. His first duty was to place the mission in a suitable state of defense to which end he constructed barricades, built principally of wagons that had crossed the plains, and the branches of trees, for he had learned that Colonel Sanchez and a body of mounted Californians were hovering in the vicinity. San José was formed into a military post in the month of November, and sixty men, with Messrs. Watmough and Griffin, under command of Lieutenant Pinkney of the United States ship *Savannah* sent to protect the inhabitants in the district. The force left Yerba Buena early in the morning of the 1st, and proceeding by the ship's boats up the bay, about sunset made fast to the shore and that night camped on the site of the present town of Alviso. Dawn of the next day found Lieutenant Pinkney and his command on the route, and after a weary march, for muskets, bayonets, cartridges, provisions, and blankets had to be carried by each man, arrived that afternoon at San José, which he at once put in a state of proper defense.

The military freebooter Sanchez had at this time established a reign of terror in the districts around the Bay of San Francisco, neither man, horse, nor stock of any kind being free from his predatory band. Concealing themselves in thicket or ravine, they were wont to fall upon the unsuspecting traveler, who, after being robbed, was too often most foully murdered. In the month of December, 1846, about the eighth day, a foraging party under Lieutenant W. A. Bartlett of the sloop-of-war *Warren* and five men, among them being Martin Corcoran, a much respected citizen of San José, started from Yerba Buena to purchase beef for the United States forces. When they arrived in the vicinity of that locality where now stands the Seventeen-mile House,

on the San José road from San Francisco, and when in the act of driving together some cattle, thirty of Sanchez' men rushed from an ambuscade, captured them and carried them off to their camp in the redwoods of the Coast Range of mountains; but after a space removing to another portion of the same chain in San Mateo County, he increased his force to a hundred men and one piece of artillery—a six pounder—and commenced a succession of marauding expeditions in the country that lies within fifty miles of San José. Intelligence reaching the pueblo of these depredations of Colonel Sanchez, without loss of time Captain Weber sounded the "call" to boot and saddle, and about Christmas day, 1846, was in full chase. Learning, however, of the recent addition to the enemy's strength, he avoided an encounter with a force so much his superior in numbers and pushed on to San Francisco where he reported to the Commandant.

Still retaining his six prisoners under close guard, Sanchez advanced into the Santa Clara Valley, by way of the head of the Bay of San Francisco, and called a halt about ten miles from San José, which place he came to after a rest of forty-eight hours. Aware full well that Weber and his company were not in the town, and nothing remained for its defense but a few marines, he thought that it would fall before his mighty presence, even without firing a shot, he therefore dispatched a note to Lieutenant Pinkney, calling upon him to surrender and withdraw his men; in which event the Americans would be permitted to retire unmolested; should he refuse, then an attack would be forthwith made and all put to the sword. But Pinkney was not to be intimidated by such shallow bravado. As the sun sank into the west on that day he formed his men in line and read to them the arrogant communication of the robber chief, which being ended, he said, if there were any there who did not wish to fight they had full liberty to rejoin the ship at San Francisco. Such, however, happily is not the spirit of the American people or their forces, else the glorious Union would not be in the lead of nations as it is to-day. Pinkney's men raised their voices as one man, and elected to stay and let Sanchez do his worst, while their gallant commander vehemently asserted, "Then, by G—d, Sanchez shall never drive me out of here alive!" And then there burst from the throats of that handful of heroes one hoarse cheer that made the welkin ring. Like a true soldier, the Lieutenant gave not an order the carrying out of which he did not personally superintend. He divided his small force into four squads, who were, on an alarm being sounded, each to press for a particular side of the breast-work which he had built around the *Juzgado*; if, however, the enemy should be found in a body trying to effect an entrance at any other side, then were the four divisions to rush *en masse* to that spot. That night Pinkney doubled the guard, and his men slept on their arms. It was his expectation to be attacked by a force immeasurably his superior in point of numbers, but at dead of night Sanchez rode round the pueblo, reflected deeply, and wisely determined that to be valorous was to be discreet, therefore he withdrew his men leaving our forces in full possession. Lieutenant Pinkney is described as being a tall, well-proportioned man, over six feet high, with sandy whiskers and hair. He was straight as an arrow and looked the soldier all over; his very appearance showed where he would be in a hot contest. There was not a man among his little band that did not have the utmost confidence in him.

Let us now return and see how fared it with the prisoners captured near the Seventeen-mile House. To try and effect their release, James Alexander Forbes (who died in Oakland in May, 1881), Her Britannic Majesty's Consul, visited Sanchez' band, where his brother-in-law was serving, and strove to obtain the liberation of the captives, but with no success. After a good deal of palaver, however, Sanchez consented to Lieutenant Bartlett being permitted to accompany Forbes to his residence in Santa Clara, but on no account was he to be handed over to the American authorities, while, as to the other five, he was willing that they all should be surrendered to their nationals, but Captain Weber, who had before the commencement of hostilities between the United States and Mexico, been in the service of the latter Government, must be given up to him. Consul Forbes transmitted the result of his diplomatic mission to the commanding officer at San Francisco, who replied that he unconditionally refused such terms, and Bartlett could be returned to Sanchez.

A day of reckoning was now fast drawing nigh, for a little army with the destruction of Sanchez and his band in view, was being formed in San Francisco under command of Captain Ward Marston, of the Marine corps attached to the United States ship *Savannah*. The force was composed as follows: Assistant-Surgeon J. Durall, Aid-de-Camp; detachment of marines, under Lieutenant Robert Tansil, thirty-four men; artillery, one field-piece, six pounder, under charge of Master William F. D. Gough, assisted by midshipman John Kell, ten men; interpreter, John Pray; Mounted Company, San José Volunteers, under command of Captain Charles M. Weber, Lieutenant John M. Murphy and acting Lieutenant John Reed, thirty-three men; Mounted Company of Yerba Buena Volunteers, under command of William M. Smith (a pioneer of Contra Costa County), Lieutenant John Rose; with a small detachment, under Captain Julius Martin (still residing at Gilroy, Santa Clara County), of twelve men, the whole being in the neighborhood of one hundred men.

The little army marched out of San Francisco on the 29th December, their course being southward and through the Santa Clara Valley. On the morning of January 2, 1847, they came in sight of the enemy, who, upon learning of their approach, had dispatched their six prisoners, on foot, into the mountains in charge of a guard of twelve men, who, having proceeded a couple of miles, halted.

Upon the force of Americans coming up with the enemy, at ten o'clock in the morning, orders were given to open fire at two hundred yards' range which was done with telling effect, the first one or two volleys entirely breaking the line in which Sanchez chose to fight. Finding his alignment cut in twain, Sanchez wheeled his men so as to bring each of his sections on either flank of Captain Marston's corps, but still making a retrograde movement, while the latter advanced. Ever and anon would the desperate Colonel rally his already demoralized troops in front, and again wheel them on the flanks of his opponents, thus alternately fighting in front and on flank, but still keeping up the order of his retreat for two or three hours.

Lieutenant Pinkney from his fortified position in San José, hearing the firing, gave orders for making hundreds of cartridges, and placed everything in a state of defense, in case Sanchez should be victorious and come down on the pueblo, while he waited anxiously for news of the battle, for he believed the Americans were outnumbered, and had some doubt as to how the fortune of the day might turn; while, at

Santa Clara Mission, people crowded the roof-tops and there witnessed the engagement, to which place the retreat tended. Finding this new force to contend against he drew off unwilling to renew a fight of which he had already had too much, and found his way to the Santa Cruz Mountains whence he dispatched a flag of truce and a communication stating the terms on which he would surrender. The reply he received was that his surrender must be absolute, and notwithstanding that he said he would die first, an armistice was agreed upon and dispatches sent to the Commandant at San Francisco, asking for instructions.

Meanwhile Pinkney's suspense was put to an end by the receipt of a message as to the result of the action, while Marston marched his men to the Santa Clara Mission where they were received with demonstrative joy by the American ladies and children there assembled. Captain Aram now received permission to proceed in quest of certain horses which had been stolen from the American settlers in the Santa Clara Valley, some of which he knew to be in the cavalcade of the enemy, and while engaged in this duty was informed by Sanchez that another body of United States troops was on its way from Monterey. This information could scarcely be credited by the Captain, who, ascending a commanding point, perceived the intelligence to be correct. This accession to the fighting strength of the Americans made Sanchez tremble lest he should be attacked by them, he therefore begged Aram to advance and inform them of the situation of affairs, which he did. The new-comers felt considerable chagrin at this situation of affairs for they longed to have a brush with the enemy. This force was under the command of Captain Maddox of the United States Navy, and consisted of fifty-nine mounted sailors and marines.

The courier sent to San Francisco returned on the 6th with instructions to Captain Marston that the surrender of Sanchez must be unconditional, a copy of which he transmitted to the Colonel, whereupon the terms of capitulation were agreed upon. Another reinforcement arrived under Lieutenant Grayson on the 7th and on January 8, 1847, his whole force laid down their arms and the six anxious prisoners were returned to the hands of their countrymen. The Mexican Colonel was taken to San Francisco and held as a prisoner, for a time, on board the United States ship *Savannah*, while his men were permitted to return to their respective homes.

And thus the curtain is dropped upon the closing act in the war-like drama, as enacted in the northern part of Upper California in the years 1846 and 1847.



LEGISLATIVE HISTORY OF ALAMEDA COUNTY.

CHRONICLES OF ORGANIZATION AND POLITICAL ANNALS.

THE first organization of counties in the United States of America, originated in Virginia, where her earliest settlers became possessed of vast tracts of land, lived the life of isolated patricians, imperious in demeanor, aristocratic in feeling, and, in a measure, were dictators to the laboring classes by whom they were surrounded. Therefore it will readily be appreciated that owing to the scarcity of voters, and the large district over which they were scattered, there was not the material from which to create towns. Moreover, county organization was in perfect harmony with the social and judicial dignities of Great Britain, in which, as descendants of that country, they felt so much glory. In Virginia, in 1634, eight counties were established. In a little this lead was followed by the Southern and several of the Northern States, with the solitary exceptions of Louisiana and South Carolina, in the former of which, after the custom of France, parishes were organized, and districts created in the latter.

In New England towns were formed before counties, while they in turn were organized before States, whose powers of government originally were exercised by towns or townships. The powers afterwards assumed by States were from surrender on the part of towns, while counties were created for the purpose of defining the jurisdiction of Courts of Justice. The representative system arose from out of a union of towns which were formed into States, each town being represented in the State Legislature, or General Court, by delegates chosen by its freemen at stated meeting.

The first authentic evidence of a town meeting, which we can find, is that held by the delegation of the Plymouth Colony on March 23, 1621, which had in view the perfecting of a military organization. At that session a Governor was chosen for the ensuing year; and it is noticed as a coincidence, whether from that source, or otherwise, that the annual town meetings in New England, and in most of the other States, have ever since been held in the Spring of the year. It was not, however, until 1635 that the township system was adopted as a *quasi corporatim* in Massachusetts.

It may be interesting to note what were the provisions contained in the first legal enactment concerning this system. It read: "Whereas, particular towns have many things which concern only themselves, and the ordering of their own affairs, and disposing of business in their own towns; therefore the freemen of every town, or the major part of them, shall only have power to dispose of their own lands and woods, with all the appurtenances of said towns; to grant lots and to make such orders as may concern the well-ordering of their own towns, not repugnant to the laws and orders established by the General Court. They might also impose fines of not more than thirty shillings, and choose their own particular officers, as constables, surveyors for highways, and the like." This enactment, no doubt, relieved the General Court of a mass of municipal details, without any danger to the controlling power of that body

in general measures of public policy, while, it is also probable that a demand of the freemen of the towns was felt for the control of their own home concerns.

The colonies of New England were first governed by a "General Court," composed of a Governor and small Council, which Court comprised the most influential inhabitants, and, while possessing legislative powers, exercised judicial functions, which were limited only by the wisdom of the holders. They made laws, ordered their execution, elected their own officers, tried and decided civil and criminal causes, enacted all manner of municipal regulations, and, in fact, transacted all the business of the colony.

This system, which was found to be eminently successful, became general as territory was added to the Republic and States were formed. Divisions of less size were in turn inaugurated and placed under the supervision of proper officials whose numbers were increased as time developed a demand, until the system of county and township organization in the United States is the most complete of any land.

Let us now proceed to trace the formation of Alameda County.

ORGANIZATION OF ALAMEDA COUNTY.—On the acquisition of Upper California by the United States of America under a treaty of peace, friendship, limits, and settlement, with the Republic of Mexico, dated Guadalupe Hidalgo, February 2, 1848, the boundaries of the territory ceded were properly defined. The President duly ratified it on the 16th of February of the same year; it was exchanged by the covenantee parties at Queretaro, May 30th, and subsequently promulgated, July 4, 1848, by President James K. Polk and attested by Secretary of State James Buchanan. A Constitutional Convention assembled in Monterey in the year 1849, and on October 12th, at the close of the session, a proclamation calling upon the people to form a Government was issued. Its objects were declared by Brigadier-General Riley, the Military Governor, to be: "to designate such officers as they desire to make and execute the laws; that their choice may be wisely made, and that the Government so organized may secure the permanent welfare and happiness of the people of the new State, is the sincere and earnest wish of the present executive, who, if the Constitution be ratified, will, with pleasure, surrender his powers to whomsoever the people may designate as his successor."

In accordance with Section fourteen of Article twelve of the Constitution, it was provided that the State be divided into counties, while the first session of the Legislature, which began at San José on December 15, 1849, passed, February 18, 1850, "An Act subdividing the State into counties and establishing seats of justice therein." The Act was finally confirmed April 25, 1851, and directed the boundaries of Contra Costa, in which the greater portion of Alameda County was included, to be as under.

ORIGINAL BOUNDARY OF CONTRA COSTA COUNTY.—Beginning at the mouth of Alameda Creek and running thence in a southwesterly direction to the middle of the Bay of San Francisco; thence in a northerly or northwesterly direction, following, as near as may be, the middle of the bay to the Straits of San Pablo; thence up the middle of the Bay of San Pablo to the Straits of Carquinez; thence running up the middle of said Straits to the Suisun Bay, and up the middle of said bay to the mouth

of the San Joaquin River; thence following up the middle of said river to the place known as Pescadero or Lower Crossing; thence in a direct line to the northeast corner of Santa Clara County, which is on the summit of the Coast Range, near the source of Alameda Creek; thence down the middle of said creek to its mouth, which was the place of beginning, including the islands of San Pablo, Coreacas, and Tesoro. The seat of justice shall be at the town of Martinez.

CREATION OF ALAMEDA COUNTY.—We have already stated that originally Alameda County formed a large portion of Contra Costa. In 1853 it was created from out of the southern portion of Contra Costa, and a part (Washington Township) of Santa Clara County. The process of formation may be thus briefly described: In that year (1853) both the counties were represented in the State Senate by George B. Tingley, who was a resident of the latter, and, in the Assembly, the first by Horace W. Carpentier and the last by W. S. Letcher and Henry C. Smith, who lived at a place then known as New Haven, but which has since been named Alvarado. On March 10, 1853, the Legislature being then convened at Benicia, Solano County, Mr. Smith, from his place in the Assembly, presented a petition from Santa Clara and Contra Costa's residents, praying that a new county, to be called Alameda, be created from out of territory then comprised within their limits. Having passed the searching eye of the Committee on Counties, and County Boundaries the bill entitled "An Act to create the county of Alameda and establish the seat of justice therein, to define its boundaries, and provide for its organization," was introduced by Mr. Smith, read the first and second times, and once more sent to the above-named committee, by whom it was reported back on the following day, the 11th of March, with the recommendation that it be passed. On the 12th it was declared to be correctly engrossed, and on the next day, the 13th, it found its way into the presence of the Senate, in which august chamber it was amended. These ratifications were returned to the Assembly, who, March 18th, signified their concurrence in the amendments of the Upper House, whence it was referred back to the Lower Chamber for correction in errors of enrollment on the 23d; these were declared duly made on the 25th, on which date it was presented for the Governor's approval, which it received March 28, 1853.

After its passage it was found that the Act contained several material defects which it was thought advisable to amend; therefore, on the 31st of March, Mr. Smith introduced an amendatory bill, which passed the Senate on April 1st, and finally received the signature of Governor John Bright on April 6, 1853. On the 21st of the same month, an attempt was made by Mr. Carpentier to have the bill amended so as to make Oakland the seat of justice, instead of New Haven or Alvarado, but which was rejected, on a vote being taken, by nineteen noes to seventeen ayes.

The boundaries of the county as prescribed by the above Act were defined as follows:—

ORIGINAL BOUNDARY OF ALAMEDA COUNTY.—Beginning at a point at the head of a slough, which is an arm of the Bay of San Francisco, making into the mainland in front of the Gegara Ranchos; thence to a live sycamore tree that stands in a ravine between the dwellings of Fluhencia and Valentine Gegara; thence up said

ravine to the top of the mountains; thence in a direct line easterly to the junction of the San Joaquin and Tuolumne Counties; thence northwesterly on the west line of San Joaquin County to the slough known as the Pescadero; thence westwardly in a straight line until it strikes the dividing ridge in the direction of the house of Joel Harlan, in Amador Valley; thence westwardly along the middle of said ridge, crossing the gulch one-half mile below Prince's Mill; thence to and running upon the dividing ridge between the Redwoods known as the San Antonio and Prince's Woods; thence along the top of said ridge to the head of the gulch or creek that divides the ranchos of the Peraltas from those known as the San Pablo Ranchos; thence down the middle of said gulch to its mouth; and thence westwardly to the eastern line of the County of San Francisco; thence along said last-mentioned line to the place of beginning. Seat of justice, Alvarado.

PRESENT BOUNDARY OF ALAMEDA COUNTY.—After changes which it is unnecessary to follow here, the boundaries of Alameda County, as at present defined in the Political Code of California are: Beginning at the southwest corner, being the common corner of San Mateo, Santa Clara and Alameda, as established in Section three thousand nine hundred and fifty-one; thence easterly on northerly line of Santa Clara, as established in Section three thousand nine hundred and fifty-two, to common corner of San Joaquin, Stanislaus, Santa Clara and Alameda, as established in Section three thousand nine hundred and thirty-two; thence northwesterly, on the west line of San Joaquin County, to the slough known as the Pescadero, being the west channel, or old San Joaquin River; thence westerly in a straight line, until it strikes the dividing ridge, in the direction of the house of José Harlan, in Amador Valley; thence westerly along said ridge, crossing the gulch one-half mile below Prince's Mill; thence to and running upon the dividing ridge between the Redwoods known as the San Antonio and Prince's Woods; thence along said ridge to the head of the gulch or creek (Cerrito Creek) that divides the ranchos of the Peraltas from the San Pablo Ranchos; thence down said gulch to its mouth; thence southwesterly to the common corner of San Francisco, Contra Costa, and Alameda, as established by Section three thousand nine hundred and fifty; thence southerly to a point in the Bay of San Francisco that would intersect a line parallel with the north line of the Central Pacific Railroad Company's wharf (as it now is) if extended five hundred feet toward Yerba Buena Island; thence southeasterly in a line parallel with the east line of the City and County of San Francisco (which is the line now dividing said city and county from the County of Alameda) to its intersection with the south line of said city and county, as established in Section three thousand nine hundred and fifty; thence easterly along said last-mentioned line to the northeast corner of San Mateo; and thence southeasterly along the eastern line of San Mateo to the place of beginning. Horace A. Higley's survey and map of Alameda County, 1857, are declared to contain a more particular description of the line out of the Bay of San Francisco.

County seat, City of Oakland; provided that nothing in this Act contained shall be construed to place "Yerba Buena Island," or any part thereof, outside the limits of the City and County of San Francisco, but the same shall be deemed to be within said city and county, and the westerly boundary line of the County of Alameda shall

not come within two thousand and five hundred feet of any part of said island. [Amendment approved March 30, 1874: Amendments 1874-5, 168, took effect sixtieth day after passage.*]

SENATORIAL DISTRICTS.—In the first partition of the State, Contra Costa was attached to Santa Clara County for Senatorial purposes. On the creation of Alameda County, she was joined to Santa Clara, and formed into the Fourth Senatorial District, and thus she continued until created into the Ninth Senatorial District. By the Act approved March 16, 1874, Alameda County was designated as the Fourteenth Senatorial District, to have two Senators, and as such she has remained until the present session of the Legislature, when the State was re-districted, and Alameda County formed into the Sixteenth, Seventeenth, and Eighteenth Senatorial Districts, with one Senator for each. The First, Fourth, and Sixth Wards of the City of Oakland, together with the election precincts of West Berkeley, Bay, and Ocean View, constitute the Sixteenth Senatorial District; the Second, Third, Fifth, and Seventh Wards of the City of Oakland, together with the election precincts of East Berkeley, Temescal, and Piedmont, constitute the Seventeenth Senatorial District; and that portion of Brooklyn Township outside of the City of Oakland, together with the Townships of Alameda, Eden, Washington, and Murray, constitute the Eighteenth Senatorial District.

CONGRESSIONAL DISTRICTS.—When originally created, Alameda County, with those of Contra Costa, San Joaquin, Tuolumne, Mono, Calaveras, Amador, El Dorado, Sacramento, Placer, Nevada, and Alpine were defined as the Second Congressional District, but by the Act approved March 30, 1872, Mono was segregated therefrom, and embodied in the Fourth District.

The Legislature, at its recent session (1883), constituted the Counties of Yolo, Sacramento, Solano, Contra Costa, Marin, and Alameda into the Third Congressional District.

JUDICIAL DISTRICTS.—The State of California was divided into Judicial Districts March 29, 1850, and John H. Watson became Judge of the Third District which comprised the Counties of Contra Costa, Santa Clara, Santa Cruz, and Monterey. On the creation of Alameda County, she still continued a portion of that district, and so remained until the establishment of Superior Courts.

COURT OF SESSIONS.—The tenth section of the Act creating the County of Alameda reads: "The County Judge and two Associate Justices of the Peace that may be elected from among themselves, shall form a Court of Sessions for the transaction of all county business authorized to be transacted by Boards of Supervisors in other counties of the State." Courts of Session were first established by Act of the Legislature, dated April 11, 1850, when by legislative enactment they were abolished

* The original section after the words "down said gulch to its mouth," proceeded as follows: Thence westerly to the easterly line of San Francisco, as established in Section three thousand nine hundred and fifty; thence southeasterly along the line of San Francisco and San Mateo to the place of beginning. Horace A. Higley's survey and map of Alameda County, 1857, are declared to contain a more particular description of the line out of the Bay of San Francisco. County seat, San Leandro.



Levi Sturges,

and succeeded by Boards of Supervisors, May 3, 1852, thus it is that we find the first-mentioned body specially delegated to perform the duties of the last-named.

The Court of Sessions, in which body, as we have said, was vested the entire general civil business of the county. The duties imposed upon this organization were multifarious. They made such orders respecting the property of the county as they deemed expedient, in conformity with any law of the State, and in them were vested the care and preservation of said property. They examined, settled and allowed all accounts chargeable against the county; directed the raising of such sums for the defraying of all expenses and charges against the county, by means of taxation on property, real and personal, such not to exceed, however, the one-half of the tax levied by the State on such property; to examine and audit the accounts of all officers having the care, management, collection, and disbursement of any money belonging to the county, or appropriated by law or otherwise, for its use or benefit. In them was the power of control and management of public roads, turn-pikes, fences, canals, roads, and bridges within the county, where the land did not prohibit such jurisdiction; and make such orders as should be requisite and necessary to carry such control and management into effect; to divide the county into townships, and to create new townships, and change the division of the same as the convenience of the county should require. They established and changed election precincts; controlled and managed the property, real and personal, belonging to the county, and purchased and received donations of property for the use of the county, with the proviso, that they should not have the power to purchase any real or personal property, except such as should be absolutely necessary for the use of the county. To sell and cause to be conveyed, any real estate, goods, or chattels belonging to the county, appropriating the funds of such sale to the use of the same. To cause to be erected and furnished, a Court House, jail, and other buildings, and to see that the same are kept in repair, and otherwise to perform all such other duties as should be necessary to the full discharge of the powers conferred on such Court. Terms were ordered to be held on the second Monday of February, April, June, August, October, and December, with quarterly sessions on the third Monday of February, May, August, and November of each year.

The first meeting of the Court of Sessions of Alameda County was held at Alvarado, June 6, 1853, Hon. Addison M. Crane, County Judge, and Messrs. I. S. Long, and David S. Lacy being Associate Justices of the Peace, when six townships were created; but before enumerating these let us see how what is now Alameda County was originally divided.

On April 17, 1850, Contra Costa was partitioned off into three townships, the two, however, which bear especially upon our subject being Martinez and San Antonio. The limits of the former were: "Commencing at the boundary line of Contra Costa County in the Suisun Bay, at the western boundary line of New York Township; thence along the western boundary line of said township to its termination on the county line, two miles below, or south of Livermore's Rancho; thence along the eastern boundary line and down the middle of Alameda Creek to its mouth; thence along the boundary line of Contra Costa County to a point on the bay opposite the mouth of the creek running down from the Moraga Redwoods; thence up the middle of

said creek to where it forks, about three miles below the Redwoods; thence along the summit of said ridge to an elevated point of land known as Cape Horn; thence in a direct line to Pinole Point, at the mouth of the Straits of Carquinez, and to the middle of the straits, to the northern boundary line of the county of Contra Costa; thence through the middle of the Straits of Carquinez along said county line to the place of beginning"; while those of the latter were defined as: "Commencing at the north-western boundary line of Martinez Township, on the northern boundary line of Contra Costa County; thence along the western boundary line of Martinez Township to its termination on the eastern boundary line of San Francisco County; thence along the western boundary line of Contra Costa County, at low-water mark, to Golden Rock; thence up the middle of San Pablo Bay to the place of beginning." These townships were, however, found to be too unwieldy. Thereupon, on the petition of certain citizens in the eastern portion of Martinez Township, praying that a portion of it should be set off and recognized as a separate division, the county organized the Township of Alameda as follows: "Commencing at the mouth of the Redwood Creek; thence running up said creek near the Redwoods; thence east to the source of the Arroyo San Ramon; thence down the San Ramon to its junction with the Eguarto; thence in an easterly direction to the eastern boundary line of the county, at the boundary line of New York and Martinez Townships; thence along the eastern boundary of the county and township to the place of beginning." Upon the petition of the citizens of San Antonio Township, the Board of Supervisors, who had undertaken the affairs of the county under the Act of the Legislature passed May 3, 1852, on August 12th, defined the Township of Contra Costa: "That said Township of San Antonio be divided, and ordered that the portion of said township being embraced within the limits of the Town of Oakland be set apart, and designated the Township of Contra Costa; and that the balance of the present Township of San Antonio remain as the Township of San Antonio." Still, the townships would seem to have been too large, for the Board of Supervisors, under date October 18, 1852, created the Township of San Pablo, and declared its boundaries to be: "All that portion of San Antonio Township from the Martinez Township line to the Cerrito of San Pablo, be set off from the said Township of San Antonio, and the same be called the Township of San Pablo." Besides these, the Townships of San Lorenzo and San Antonio were created in the following manner: "That Alamo Township, with the present boundary terminating towards the west, with the highest point on the ridge of the Contra Costa Range, and San Antonio Township with its present boundary from Cerrito down to the San Lorenzo Creek, and two townships be created, the San Antonio Township to extend from Cerrito of San Pablo to San Lorenzo, and designated the Township of San Antonio; and from San Leandro Creek to the boundary line of Santa Clara County be designated San Lorenzo Township." The boundaries of Washington Township, as it was when a portion of Santa Clara County, are described as follows: "Commencing at the old Santa Clara Bridge on the Guadalupe River, and running a northeasterly line to the county line; all north of this line bounded on the west by the Guadalupe River shall constitute this township." Upon the creation of Alameda, in 1853, this territory was segregated from Santa Clara and thus its ancient associations were given to the newly-formed county.

ORIGINAL TOWNSHIPS OF ALAMEDA COUNTY.—We have remarked above that the first duty of the newly-organized Court of Sessions at their sederunt on June 6, 1853, was the partitioning of Alameda County into townships. These were as follows:—

OAKLAND.—Bounded as specified in Chap. CVII., Statutes of 1852. On the northeast by a straight line at right angles with Main Street, running from the Bay of San Francisco on the north to the southerly line of the San Antonio Creek, or estuary, crossing Main Street at a point three hundred and sixty rods northeasterly from "Oakland House," on the corner of Main and First Streets, as represented on Porto's Map of Contra Costa, on file in the office of the Secretary of State, thence down the southerly line of said creek, or slough, to its mouth in the bay; thence to ship channel; thence northerly and easterly by the line of ship channel to a point where the same bisects the said northeastern boundary line.

CONTRA COSTA.—Bounded on the north by the north line of the county; on the south and southwest by the west line of the county and the northeast line of the township of Oakland, commencing for the southern boundary at the northwest corner of Oakland Township, and thence running southeast along the northwest line of said township to the Indian Gulch; thence up said gulch easterly to the summit of the mountains; thence east to the east boundary of the county; thence northerly along said east line to the northeast corner of said county.

CLINTON.—Bounded on the north by the townships of Oakland and Contra Costa; on the west by the west line of the county; and for the south and east boundaries, commencing at the point where the United States surveyed township line passing east and west between the San Leandro and San Lorenzo Creeks crosses the west line of said county; and thence running east along said township line to the summit of the Coast Range Mountains; and thence north to the east line of the county; and thence along said east line to place of beginning.

EDEN.—Commencing at the southwest corner of Clinton Township, and thence running east along the south line of said township to the summit of the Coast Range of mountains; thence along said Coast Range summit southerly to the Alameda Creek, and thence down said creek to the west line of the county and thence along said west line northerly to place of beginning.

WASHINGTON.—Bounded on the north by the township of Eden; on the east by the summit of the Coast Range of mountains; on the south by the south line of the county; and on the west by the west line of the county.

MURRAY.—Shall embrace all the territory of the county not included in the townships before specified, and is bounded on the north and east and south by the county lines, and on the west by the summit of the Coast Range of mountains.

These divisions remained intact until December 12, 1853, when the county was divided into the following five townships:—

OAKLAND.—Bounded on the north by the north line of the county; on the west and southwest by the west line of the county, following the bay to the north branch of San Antonio Creek; thence south and southeasterly up the north branch of said creek to Indian Gulch; thence up said gulch to the summit of the Coast Range of mountains; thence east to the eastern boundary of the county; thence northerly along said east line to the northeast corner of the county.

CLINTON.—Bounded on the north by Oakland Township; on the west by the west line of the county, and on the south and southeast by San Leandro Creek; thence following said creek and gulch to the summit of the Coast Range of mountains; thence north to the east line of the county; thence along said east line to place of beginning.

EDEN.—Bounded on the north by Clinton Township, following the line of said township from the bay to the summit of the Coast Range of mountains; thence along said Coast Range summit southerly to the Alameda Creek; thence down said creek to the west line of the county; thence northerly along said west line to place of beginning.

WASHINGTON.—Bounded on the north by Eden Township; on the east by the summit of the Coast Range of mountains; on the south by the south line of the county, and on the west by the west line of the county.

MURRAY.—Shall embrace all the territory of the county not included in the townships before specified, and is bounded on the north, east, and south by the county lines, and on the west by the summit of the Coast Range of mountains.

PRESENT TOWNSHIP BOUNDARIES.—This now brings us to the townships which obtain at the present writing. These were made the subject of a redistribution by the Board of Supervisors on January 5, 1878, and are bounded as follows:—

ALAMEDA.—Commencing in the center of Harrison (formerly Washington) Avenue at Fernside Station, on the Alameda Railroad; thence along the center of Washington Avenue to Park Street; thence down the center of San Antonio Creek, and along the deepest water channel to the westerly boundary of Alameda County; thence southeasterly along the boundary of said county to an angle thereof; thence easterly along said county line, and continuing in the same direction to a point in a line with the line dividing sections thirty-one and thirty-two, township two south, range three west; thence north along the section line, and continuing to the northeast corner of lot one, section nineteen, same township and range; thence northerly to the center of Brickyard Slough at the mouth thereof; thence along the center of Brickyard Slough to the place of beginning.

BROOKLYN.—Commencing at the center of the Thorn Road (the same being the road leading from East Oakland to Moraga Valley), where the same crosses the line dividing the counties of Alameda and Contra Costa, on the summit of the mountains being also the easterly corner of Oakland Township; thence southwesterly along the center of said road to the head of Indian Gulch; thence down said gulch to the north branch of the estuary of San Antonio (the same being now known as Lake Merritt); thence

down said branch, following the deepest water channel thereof, to said estuary; thence easterly along the deepest water channel of said estuary and along the slough to the bridge crossing the same on Park Street; thence along the center of Washington Avenue to Fernside Station on the Alameda Railroad; thence along the center of Brickyard Slough to the mouth thereof; thence in a southerly direction to the northeast corner of lot one, section nineteen, township two south, range three west; thence south along the section line to the southwest corner of section twenty-nine, same township and range aforesaid; thence east to the intersection of the road leading northerly to Halverson's Landing on the south line of lot six, section twenty-eight; thence along said road to Halverson's Landing, on the San Leandro Creek; thence up the center of said creek, following the meanderings thereof, to the intersection of the line dividing the counties of Alameda and Contra Costa; thence northwesterly along said county line to the place of beginning.

EDEN.—Commencing at a post set at the junction of North Creek and Alameda Creek; thence up North Creek, following the meanderings thereof, to the "Mathewson Ditch"; thence up said ditch to the road leading from Alameda to the Half-way House, on the mountain road; thence north $45\frac{1}{4}^{\circ}$ east, one hundred and eight and six-hundredths chains to a point on C. Gresel's land, at which the line of the "Mathewson Ditch" produced intersects the old township line between Eden and Washington Townships, from which point the southwest corner of said Gresel's land, and the northwest corner of George Emmerson's land, bears south $18\frac{1}{4}^{\circ}$, west four and two-hundredths chains; thence east along the old township line four hundred and sixty-eight and ninety-seven-hundredths chains to a post on the top of a rock mound on the summit of the range of hills forming the westerly boundary of Murray Township, from which point the quarter-section corner in the center of section twenty-two, township three south, range one west, bears south $81\frac{1}{4}^{\circ}$, west seventeen and ninety-three-hundredths chains, and the house of Joseph Davis bears north 78° , west twenty chains, the same being the township corner as established by survey of L. Castro, County Surveyor of Alameda County, and filed in the office of the County Clerk of Alameda County, June 12, 1871; thence north along the summit of the mountains to the intersection of the line dividing Alameda and Contra Costa Counties, intersecting said county line on the line dividing sections thirty-three and thirty-four, township two south, range one west; thence along said county line in a northwesterly direction to the intersection of San Leandro Creek; thence down said creek, following the meanderings thereof, to Halverson's Landing; thence southwesterly along the road leading to Bay Farm, to the south line of lot six, section twenty-eight; thence west along the south line of section twenty-eight and the south line of section twenty-nine, township two south, range three west; thence west to the southwest corner of said section twenty-nine, the same being on the line of Alameda Township, and being also the southwest corner of Brooklyn Township; thence south to the southeast corner of Alameda Township; thence west to the Alameda County line intersecting the same at the easterly angle thereof; thence southeasterly along the county line to a point due west of the mouth of Union City Slough; thence east to the mouth of said slough; thence up said slough to a post at the junction of North Creek and Alameda Creek, the same being the place of beginning.

MURRAY.—The township of Murray shall be bounded as follows: On the north, east, and south by the boundary of Alameda County, and for a westerly boundary, commencing at the intersection of the Arroyo Honda, by the southern boundary of Alameda County; thence down the center of Calaveras Creek to the Alameda Creek; thence down the center of Alameda Creek to the intersection of the line dividing the east half of section twelve, township four south, range one west, from west half of said section; thence north along the quarter section line to the north line of section thirty-six, township three south, range one west; thence west along the north line of sections thirty-six and thirty-five to the summit of the mountains; thence in a northwesterly direction, following the summit of the mountains along the easterly boundaries of Washington and Eden Townships, to the northerly boundary of Alameda County intersecting the same on the line dividing sections thirty-three and thirty-four, township two south, range one west.

OAKLAND.—The township of Oakland shall be bounded on the north and northeast by the line dividing Alameda and Contra Costa Counties; on the west and southwest by the southwesterly boundary of Alameda County on the Bay of San Francisco; and for a southeasterly and southerly boundary, as follows: Commencing on the summit of the mountains in the center of the Thorn Road (the same being the road leading from East Oakland to Moraga Valley) where the same crosses the line dividing the counties of Alameda and Contra Costa; thence southwesterly along the center of said road to the head of Indian Gulch; thence down said gulch to the north branch of the estuary of San Antonio (the same being now known as Lake Merritt); thence down said north branch of the estuary of San Antonio and along the deepest water channel of said estuary, and continuing in the same direction to the southwesterly boundary of Alameda County.

WASHINGTON.—Commencing at a post set at the junction of North Creek and Alameda Creek; thence up North Creek, following the meanderings thereof, to the "Mathewson Ditch"; thence up said ditch to the road leading from Alvarado to the Half-Way House, on the Mountain Road; thence north $45\frac{1}{4}^{\circ}$, each one hundred and eight and six-one-hundredths chains to a point on C. Gresel's land, at which the line of the "Mathewson Ditch" produced intersects the old township line between Eden and Washington Townships, from which point the southwest corner of said Gresel's land, and the northwest corner of George Emmerson's land, bears south $18\frac{1}{4}^{\circ}$, west four and two-one-hundredths chains; thence easterly along the old township line four hundred and sixty-eight and ninety-seven-one-hundredths chains to post on the top of a rock mound on the summit of the range of hills forming the westerly boundary of Murray Township, from which point the quarter section corner in the center of section twenty-two, township three south, range one west, bears $81\frac{1}{4}^{\circ}$, west seventeen and ninety-three-one-hundredths chains, and the house of Joseph Davis bears north 78° , west twenty chains, the same being the township corner as established by survey of L. Castro, County Surveyor of Alameda County, and filed in the office of the County Clerk of Alameda County, June 12, 1871; thence in a southeasterly direction along the summit of the mountains to the north line of section thirty-five, township three south, range one west; thence east to the northeast corner of the northwest quarter

of section thirty-six; thence south along the quarter section line to the Alameda Creek, intersecting the same on the line dividing the east half from the west half of section twelve, township four south, range one west; thence up the center of said creek to the junction of the Arroyo Laguna; thence up the center of Calaveras Creek to the Arroyo Honda; thence up the Arroyo Honda to the intersection of the southerly boundary of Alameda County; thence westerly along the southerly boundary of Alameda County to the summit of Monument Peak; thence southwesterly along the county line to the Bay of San Francisco; thence northwesterly, following the southwesterly boundary of the county, to a point due west of the mouth of Union City Slough; thence to the mouth of said slough; thence up said slough to a post at the junction of North Creek and Alameda Creek, the same being the place of beginning.

BOARD OF SUPERVISORS.—Up until the passage of the Act of March 9, 1855, which created a Board of Supervisors for Alameda, the Court of Sessions had full control of the affairs of the county; it was repealed, however, April 3, 1856, that Act ordering that the county should, in all respects, be subject to the provisions of "An Act to Create a Board of Supervisors in the Counties of this State, and Define their Duties and Powers," approved March 20, 1855, which Act, with subsequent amendments, has been the law under which the several Boards have since acted. The first Board of Supervisors for Alameda County consisted of Henry C. Smith, Washington Township; J. W. Dougherty, Murray Township; S. D. Taylor, Eden Township; J. L. Sanford, Clinton Township; James Millington, Alameda Township; J. L. Sanford, Oakland Township; Mr. Dougherty being chosen Chairman.

ELECTION PRECINCTS.—When the vote for the Old Constitution was taken on November 13, 1849, there were but three election precincts within what was then known as Contra Costa County—namely, at the Moraga Redwoods, Martinez, and San Antonio (now Brooklyn, Alameda County). For the election of April 1, 1850, the precinct of New York was added to those already created, while, on October 7th of the same year, the precincts were Martinez, San Antonio, San Ramon (Dublin), and New York. The first record, however, which we can find of a distribution of voting precincts is for the election called for September 3, 1851, when the following polling places were established: At the Court House in the town of Martinez, and the house of José Maria Amador, for the township of Martinez; the houses of Victor Castro and Vicente Peralta, in and for the township of San Antonio; and the house of William W. Smith in Antioch, and at the Lower Ferry on the San Joaquin River, in and for the township of New York. The polls in Washington Township were at the store of H. C. Smith, an election being there held on May 4, 1850, when Lone Kemble was Inspector. These, with a few additions, continued until the creation of Alameda County, when, August 1, 1853, the following were declared the first election precincts: In Washington Township, at the mission of San José, at the room next easterly of Howard & Chamberlain's store; and at the town of Alvarado, at the room there used for a Court House. In Eden Township, at the house of William Hayward, and at the house of T. H. Cowles. In Clinton Township, at the house of James B. Larue, and at the house of Charles Ray, and at the saw-mill of Tupper & Hamilton. In Oakland Township, at the office of A. Marier. In Contra Costa Township, at the house

of Seth R. Bailey, and at the house of A. E. Hutchinson. In Murray Township, at the house of Michael Murray.

Naturally, when the increase of population has been so great, the precincts enumerated above have proved insufficient for the wants of the voters, until at the election called for November 7, 1882, the number of precincts were forty, as follows: Alameda Township: Alameda, Nos. One, Two, and Three; Brooklyn Township: Brooklyn, No. One, two precincts; Brooklyn No. Two; Oakland Township: Berkeley, West Berkeley, Bay Precinct, Temescal, Ocean View, Piedmont; Oakland City: First Ward, three precincts; Second Ward, two precincts; Third Ward, two precincts; Fourth Ward, two precincts; Fifth Ward; Sixth Ward, two precincts. Eden Township, San Leandro, San Lorenzo, Haywards, Mt. Eden, Castro Valley; Washington Township: Alvarado, Centreville, Mission San José, Niles, Newark; Murray Township: Suñol, Pleasanton, Dublin, Livermore No. One, Livermore No. Two, Altamont.

ROAD DISTRICTS.—Another criterion of the rapid development of a hitherto sparsely-peopled country is the want immediately felt for carefully laid out roads and easy means of transport. He who has experienced such a desire can fully appreciate the comfort of well-graded thoroughfares and smoothly macadamized streets. The scarcely-to-be-recognized trails give place, as if by magic, to the skill of the surveyor; the dangerous ford to the well-built bridge and the impenetrable undergrowth to the road-maker's ax. In a few short years miraculous changes are worked, and science brings places within comfortable travel and neighbors within ken. Contra Costa in the pre-American days was not a whit better off than the neighboring counties; when the first roads were laid out, however, we have been unable to trace, but the records of the Court of Sessions inform us that as early as July 20, 1850, the county was partitioned into districts and the following roads declared public highways:—

One and Two.—From Martinez to Pueblo de San José, divided into two districts, the first being from Martinez to the farm of Francisco Garcia; the second from thence to the line dividing the counties of Contra Costa and Santa Clara, the overseers appointed being respectively N. B. Smith and Joseph Rothenhostler. *Three.*—The streets in the town of Martinez were declared to be District Number Three and placed under the supervision of A. Van Herne Ellis. *Four.*—The road then usually traveled from Martinez by the house of Salvio Pacheco to the town of New York of the Pacific was classed as District Number Four, with Henry F. Joye, Overseer. *Five.*—The road from the Moraga Redwoods to that leading from Martinez to San José, terminating on said road nearly equidistant from Martinez to the house of Widow Welch, was established as District Number Five, and E. Miller appointed Overseer. *Six.*—The road usually traveled from the rancho of Vicente Castro by the rancho of Elam Brown, intersecting the road from the Moraga Redwoods to Martinez near the house of Jonah Bernell was defined as District Number Six, and Elam Brown appointed Overseer. *Seven.*—The road leading from the crossing of the San Joaquin to the Pueblo de San José by the rancho of Robert Livermore, and to where it intersects that leading from Martinez to the Pueblo de San José, as belonged to the county of Contra Costa, was declared to be District Number Seven, and placed in charge of Greene Patterson, Overseer.



José Narciso Suñol

After the creation of Alameda, the matter of public highways throughout the county attracted considerable attention. The "Carpentier-Gilman Bridge" had been already established, but this was a private enterprise where exorbitant tolls were levied, but so soon as the official machinery was in working order, petitions for roads began to flock in, the first to be declared a "public highway," being the thoroughfare then traveled, leading from the county line east of the Mission de San José, and to said mission; thence through Amador Valley, and known as the Stockton Road. But we have not the space at our disposal to follow the hundreds of petitions for road purposes as they appear in the records of the Court of Sessions and Board of Supervisors. To give even an outline of each would more than fill a volume of no ordinary proportions. As the fertile districts were settled, each new arrival felt the want of some avenue of outlet from his homestead; connection was needed with the main arteries of traffic; the inevitable petition to the authorities was transmitted to the proper quarter, and, where the necessity was proved, never was the prayer rejected. With the opening out of fresh highways, more districts were imperatively necessary; with the creation of these districts, it was as necessary to appoint Overseers, and now Alameda County is blessed with a large number of districts and a net-work of roads, better than which there are none in California.

On June 6, 1853, the Court of Sessions ordered that the county should be partitioned into the following seven Road Districts:—

Road District No. 1, to embrace the highway leading from Union City to the Mission San José, extending two miles each side thereof, of which Charles Breyfogle was appointed Supervisor.

Road District No. 2, to embrace the highway leading from the Mission San José, running in the direction of the Pueblo de San José, to the county line of Santa Clara County, of which William H. Chamberlain was appointed Supervisor.

Road District No. 3, to embrace the highway leading from Mission San José in the direction of Stockton, through the Amador Valley, to the crossing of the Alameda Creek, of which A. Marshall was appointed Supervisor.

Road District No. 4, to embrace that part of the highway leading from the Mission San José to Stockton, which lies between the Alameda Creek and the house of Robert Livermore, of which Robert Livermore was appointed Supervisor.

Road District No. 5, to commence at a point opposite the house of Robert Livermore, and thence embrace all that part of the main traveled highway leading to Stockton, up to the east line of the county, for which a Supervisor was appointed.

Road District No. 6, to commence at the town of Oakland and run thence along the highway, extending two miles each side thereof, to the house of Vicente Peralta, of which Francis K. Shattuck was appointed Supervisor.

Road District No. 7, to commence at Oakland and run thence to the north line of the county, near the house of Vicente Peralta, and R. M. Randall was appointed Supervisor, his jurisdiction to extend two miles each way from the above line.

It was at the same time ordered that Road Districts Nos. 2, 3, and 5 should extend two miles each side of the highways designated as their boundaries.

At the present time the Road Districts are thirty-four in number, as follows: Alvarado, Sebastian Franz, Overseer; Alviso, James Hawley; Bay; Brooklyn, J. P.

Condon; Castro Valley, John Cahill; Centreville, James A. Trefry; Cosmopolitan, J. C. Whipple; Dublin, William Teham; Eden Vale, J. H. Davis; Inman, J. Galway; Laurel, James King; Lincoln, E. Munyan; Mission San José, D. C. Hibbard; Mowry's Landing, Edward Ryan; Mount Eden, E. Clawiter, Jr.; Murray, Philip Thorn; Niles, Thomas Bonner; Newark, G. G. Healey; Ocean View, B. D. Boswell; Peralta, H. C. Babcock; Polamares, W. J. Ramage; Piedmont, J. O'Connor; Pleasanton, L. M. Lyster; Redwood, E. D. Brown; Rosedale, L. Hollenbeck; San Lorenzo, Leonard Stone; Summit, C. Elliott; Suñol, J. Madden; Stony Brook, J. D. Farwell; Temescal, E. J. Sayer; Townsends, W. W. Wynn; Vallecitos, E. H. Frick, Jr.; Warm Springs, R. J. Horner; Washington, J. N. Smith.

SCHOOL DISTRICTS.—The first School Districts in Alameda County were divided in consonance with the townships which then obtained, but such a partition embraced too large a territory, therefore alterations became necessary, like in the townships themselves. Boundaries and limitation lines were perpetually being altered at the solicitation of innumerable petitioners. The authorities, ever with an eye to the people's welfare, in most cases granted the prayer, until, after an infinity of rectifications, the present school districts of the county number forty-five, and are named: Alameda, Alvarado, Alviso, Bay, Castro Valley, Centreville, Cosmopolitan, Eden Vale, Eureka, Fruit Vale, Green, Harris, Inman, Laurel, Lincoln, Livermore, Lockwood, May, Melrose, Midway, Mission, Mountain House, Mowry's Landing, Murray, Niles, Oakland, Ocean View, Polamares, Peralta, Piedmont, Pleasanton, Redwood, Rosedale, San Lorenzo, Stony Brook, Summit, Suñol, Temescal, Townsend, Union, Vallecitos, Vista, Warm Springs, Washington, Wilson.

POLITICAL HISTORY.

We now come to the second branch of the Legislative History of Alameda, namely, that which may be termed the Political History of the County. This, it is to be feared, however, may be considered a misnomer, as in the rest of this chapter much will be found which in itself has no political significance, while a considerable amount may be recognized as purely political. All our information has been garnered from the well-kept records of the Court of Sessions and Board of Supervisors, who, though exercising political functions, still have authority over affairs not political; therefore the remarks made below may be said to relate more to the *government* of the county, than to its *politics*.

MEXICAN GOVERNMENT.—The following interesting account of the political aspect of California, found among the papers left by the late Doctor John Marsh, of Contra Costa County, has been kindly placed at our disposal by Hon. W. W. Camron of Oakland, and will be read with interest as being the remarks of a polished scholar and gentleman, who had at the time of the acquiring of the State by the United States, been more than ten years a resident of California.

After the decease of General Figueroa (who governed Alta California from 1833 to 1835) the right to govern was assumed by Gutierrez (1835), the senior officer of the military, and Estudillo, the oldest member of the Legislature, or *Primer Vocal*, to whom it appertained as a matter of right by the civil law; but as might is apt to

decide matters of right all over the world, and more particularly in Spanish America, he retained the command until the Spring of 1836. At this time a new Governor arrived from Mexico in the person of General D. Mariano Chico, member of the Mexican Congress, and with many long and magnificent titles. His first act was to issue a proclamation in most grandiloquent terms, greatly praising the docility and patriotism of the people of the country, and telling them that they owed him a debt of gratitude for having left his dear wife and beloved children, and taken so long a journey, from pure love of the people of California and his desire to serve them. He was the friend to Victoria (the Governor who ruled in the year 1829), pursued the same outrageous course of conduct, and shared the same fate. He arrived fully determined to take vengeance on those individuals who had been chiefly instrumental in expelling Victoria. Like him he chartered a vessel in which to send his opponents to Mexico, not omitting the American gentleman whom Victoria had attempted to send; and, to complete the parallel, he was himself compelled to leave the country in the same vessel he had designed for his adversaries. Gutierrez then assumed the command a second time. A few months after this event, Don Juan B. Alvarado, who, at that time, held a subordinate employment in the Custom House, had a quarrel with the commandant, Gutierrez, relative to the posting of a guard of soldiers on the beach, whether to assist or prevent the smuggling of a vessel in port was best known to the parties concerned. High words and mutual threats ensued. Alvarado went in the night to consult his friend, José Castro, and the next day, they both went to the Pueblo de San José, and thence to Sonoma to confer with the officer in command of that post. They mutually agreed to expel Gutierrez, and all the Mexican *employés* of every class. They assembled in haste a few people from the neighboring farms, and repaired to Monterey in a secret manner. In this promiscuous assemblage were about twenty or thirty foreigners; some five or six were American hunters. These were under the command of I. Graham, a hunter from Kentucky, and John Coppinger, an Irishman. They took possession of the old fort without opposition, and fired one shot at the presidio in which the Mexicans were. Negotiations immediately took place, which ended in a capitulation of all the Mexicans, who were forthwith embarked for the coast of San Blas (a port in the State of Guadalajara, Mexico). The California patriots, who had succeeded beyond their own expectations, hardly knew what to do with their cheaply bought victory. They, however, issued various contradictory proclamations, in one of which they declared themselves independent of Mexico until the re-establishment of the Federal Constitution. Alvarado was declared Governor (1836), and General M. G. Vallejo, Military Chief. All this was done by the people of the northern part of the country, and particularly of Monterey, while all the southern districts were opposed to the new order of things. After a series of bloodless campaigns and paper battles, peace was restored by giving ample spoils from the missions to the principal aspirants. Mexico, in the meantime, fulminated furious proclamations and awful threats against such unnatural sons of the Republic.

After Alvarado had enjoyed his usurped authority about a year, he was acknowledged as legitimate Governor by Mexico (1838); and he himself, with the greatest facility, swore fealty to the Central Government. The administration of Alvarado, as the only one in which the Government had been for any length of time in the hands

of a native, for its long duration and for the important events which took place under it, must be considered as the most important era in the Mexican domination over California. It has become a portion of the history of the country, and as such has become a legitimate subject for discussion. Taken as a whole, it must be regarded as an entire failure. It entirely failed to accomplish any part of the good it promised at the outset, and has only served to perpetuate the evils it proposed to remove. The friends of good order and a just administration of the laws, of whom, notwithstanding appearances, the number had always been considerable, had great hopes of seeing better times at the commencement of Alvarado's government. His constant declaration was: "Let me have a little time to tranquilize the country, and I will provide for the strict enforcement of the laws and the punishment of crimes and offenses." But, after being in office more than five years, he left things in a worse condition than he found them. Even if we give him credit for good intentions at the beginning, he never had the necessary knowledge, intelligence, or firmness of purpose to have done any good for the country. The whole period of his administration was a perpetual struggle to maintain himself in office. He was compelled to make every kind of concession to preserve even the ostensible support of pretended friends. The wealth of the missions, which at the beginning of his administration was very considerable, had, in this way, been completely exhausted. All these, together with the revenue derived from the Customs, amounting in the aggregate to a vast sum, were lavished on his relatives, partisans, and favorites, and, at last, when he had nothing more to give, he found himself deserted. (About 1849, Don Juan B. Alvarado, removed from Monterey to San Pablo, Contra Costa County, where he resided up to the time of his death, July 13, 1882.)

The most prominent event in the administration of Alvarado, and the one that will be longest remembered, is his attempt to expel, by force, all the foreigners, and particularly Americans, from the country. The true motives which led to this step, were, for a long time, involved in obscurity. The facts as far as could be known at the time are handed down by Doctor Marsh in these words: "It was secretly determined by Governor Alvarado and his friend and *compadre*, Don José Castro, that they would seize and transport to Mexico all the foreigners, and particularly Americans, that were in California, and, as a pretext, they pretended that they had discovered a secret conspiracy of the foreign residents to kill the Governor, Military Commandant, and some others, and to possess themselves of the country. This was so manifestly false, that no person could be made to believe it after the first few days. One solution of the affair is, that as Castro was at bitter enmity with Vallejo, the Military Commander, and desired to supplant him in his office, and knowing, at the same time, that public opinion in Mexico at the time was highly exasperated against Americans, on account of the recent defeat and disaster of the Mexican arms in Texas, and that he, by feigning the conspiracy of the Americans in California, and capturing and carrying them prisoners to Mexico, would thereby acquire to himself great merit with the Government, and by that means obtain the office to which he aspired. This opinion derived additional probabilities at the time from a knowledge of the character of Castro—artful, subtle, intriguing, utterly unprincipled, and grossly ignorant. The project, however, was concerted and executed with considerable skill.

"At an appointed time, the foreigners, who lived widely dispersed in almost every part of the country, entirely unprepared and without the least apprehension of danger, were seized and marched to Monterey by night, strongly guarded. Isaac Graham, who has been heretofore mentioned, was captured by Castro himself, with his own chosen followers. The house was attacked at midnight, the door forced open, and a volley of fire-arms discharged at Graham and his partner, Nale, before they had left their beds. Nale received two severe wounds, and was left for dead. Graham was knocked down, severely beaten, bound and carried to Monterey, where he was heavily ironed and strictly guarded. For the next week, more or less men were daily brought in, loaded with irons, and thrust into a loathsome prison, which was so crowded that space was not left to lie down. At last the ship arrived which had been chartered to transport them, and they were marched on board like criminals, between two files of soldiers. Graham, alone, was not suffered to walk, but with his irons still upon him, was carried on board on the shoulders of Indians. The brutal treatment of these men on their voyage to San Blas, and on the route from that port to the City of Tepic, I shall not attempt to describe, as I have no desire to stir up feelings that may as well be left at rest, but it may well be believed that feelings were excited, aye, deep and burning feelings, that will not be soon forgotten by the witnesses as well as the victims of these horrible acts of cruelty and injustice. On the arrival at Tepic, they were taken from the hands of Castro and his myrmidons by the influence of the British Consul, and, although still prisoners, were treated with kindness. After a long detention, during which several of the number died, by the strenuous interposition of the British Minister in Mexico, they were fully liberated, and those who chose to return to California were sent back at the expense of the Government. From some documents, which have but very recently come to light, it is rendered probable, and in fact almost certain, that the foreigners were seized and sent away prisoners by the express order of the Government of Mexico, which they were afterwards base enough to deny."

So far we have gained an insight unto the feelings of some of the native Californians regarding foreigners, and which shows a bitter enmity to their presence in the country. It will be our duty now to place before the reader the manner of government whereby these people were guided.

Prior to the year 1839, not much is known of the political divisions of Upper California; on February 26th of that year Governor Alvarado dubbed it a Department, and partitioned it into three districts. In the second of these was the original Contra Costa section. The government was vested in a Governor and Departmental Assembly, from which was constituted the Legislative Assembly that held its sessions in Monterey, the then capital. In order of precedence, the political officers next to the Governor were the Prefects, having jurisdiction over districts; Sub-Prefects, Ayuntamientos or Town Councils, Alcaldes, and Justices of the Peace.

We are informed, on reliable authority, the Mexican law contemplated the formation of a Superior Tribunal for each department, and that provision for the establishment of such a Court, with two lesser ones for California, had been made. The tribunal was to be composed of four Judges and one Attorney-General, the senior three of the former to sit upon the first, and the junior one on the second bench. This latter, known as the Court of Second Instance, heard appeals from the Court of

First Instance and had original jurisdiction in certain cases. The senior court sat at the capital of the Department, while that of the First Instance held its sessions at the chief town in a district, where it exercised a general jurisdiction and attended to cases involving more than one hundred dollars, those for a less sum being tried by the Alcalde and Justice of the Peace.

There is no record of a Superior Tribunal ever having been established in California under the Mexican Government, and no Court of First Instance in San José, the chief town of the district now under consideration, until 1849, when they were commissioned by the authority of the United States. The first Alcalde to be thus installed, for the Contra Costa, was the honored pioneer, Hon. Elam Brown, N. B. Smith being the first Sub-Prefect of the district.

The law was administered then in a peculiarly lax manner; fortunately or unhappily, as the case may be, lawyers had not yet penetrated into the supposed wilds of the Pacific Slope. The Alcalde's word was the supremest effort of legal wisdom; his silver-headed cane a badge of office which the most captious must respect, and could not gainsay, while, there being no prisons, it was usual to sentence the Indian to be flogged, and others to be fined.

MILITARY GOVERNMENT.—Between the years 1846 and 1849 the country remained under the control of the United States military. In regard to law it was utterly at sea. A military commander controlled affairs, but there was no Government. As long as the war lasted it was only natural to expect that such would be the case, and the people were content; but after peace had been attained, and the succession of Military Governors remained unabated, a people who had been brought up to govern themselves under the same flag and the same Constitution chafed at a simple change of longitude should deprive them of their inalienable rights. With those views General Riley, who succeeded General Persifer F. Smith, April 13, 1849, entirely sympathized. When it was found that Congress had adjourned without effecting anything for California, he issued a proclamation, June 3d, which was at once a call for a convention and an official exposition of the administration's theory of the anomalous relations of California and the Union. He strove to rectify the dominant impression that California was ruled by the military. That had ceased with the termination of hostilities, and what remained was the civil government, which was vested in a Governor appointed by the Supreme Government, or, in default of such appointment, the office was vested in the commanding military officer of the Department, a Secretary, a Departmental or Territorial Legislature, a Superior Court with four Judges, a Prefect and Sub-Prefect, and a Judge of the First Instance for each district, Alcaldes, Justices of the Peace, and Town Councils. General Riley, moreover, recommended the election, at the same time, of delegates to a convention to adopt either a State or Territorial Constitution, which, if acquiesced in by the people, would be submitted to Congress. The proclamation stated the number of delegates which each district should elect, and also announced that appointments to the judiciary offices would be made after being voted for. The delegates from the district of which we then formed a portion to the Convention were Joseph Aram, Kimball H. Dimmick, J. D. Hoppe, Antonio M. Pico, Elam Brown, Julian Hanks, and Pedro Sainsevain.

CONSTITUTIONAL CONVENTION.—On September 1, 1849, the Convention met at Monterey, Robert Semple, of Benicia, one of the delegates from the District of Sonoma, being chosen President. The session lasted six weeks, and, notwithstanding an awkward scarcity of books of reference and other necessary aids, much labor was performed, while the debates exhibited a marked degree of ability. In framing the original Constitution of California slavery was forever prohibited within the jurisdiction of the State; the boundary question between Mexico and the United States was set at rest; provision for the morals and education of the people made; a seal of State was adopted, with the motto EUREKA, and many other subjects discussed. The Constitution was duly framed, submitted to the people, and at the election held on the 13th of November, ratified by them and adopted by a vote of twelve thousand and sixty-four for and eleven against it, there being, besides, over twelve hundred ballots that were treated as blanks, because of an informality in the printing. The vote of the District of San José on the occasion was five hundred and sixty-seven votes for and nine against its adoption, while five hundred and seventeen votes were cast for Peter H. Burnett as Governor. In Contra Costa, on that occasion, one hundred and seventeen votes were polled at the three precincts then established; Governor Burnett received seventy-four votes; Lieutenant-Governor John McDougal thirty-one, and F. J. Lippett sixty-four, while W. R. Bascom, of San José, was elected Senator, and Elam Brown, of Lafayette, Contra Costa County, Joseph Aram, Dr. Ben. Cory, and J. H. Mathews were sent to the Lower House of the State Legislature, Edward Gilbert and George W. Wright being sent to Congress.

Among those who took a prominent part in the Convention were Hon. Chas. T. Botts and J. Ross Browne, who was its official reporter, both gentlemen long associated with Alameda County.

We here reproduce, as curiosities, two of the tickets which were voted at the time, and distributed in and around Sacramento and the upper portion of the State:—

PEOPLE'S TICKET.

FOR THE CONSTITUTION.

FOR GOVERNOR,

John A. Sutter.

FOR LIEUTENANT-GOVERNOR,

John McDougal.

FOR REPRESENTATIVES IN CONGRESS,

William E. Shannon,

Pet. Halstead.

FOR STATE SENATORS,

John Bidwell, Upper Sacramento,
Murray Morrison, Sacramento City,
Harding Bigelow, Sacramento City,
Gilbert A. Grant, Vernon.

FOR ASSEMBLY,

H. C. Cardwell, Sacramento City,
P. B. Cornwall, Sacramento City,
John S. Fowler, Sacramento City,
J. Sherwood,
Elisha W. McKinstry,
Madison Waltham, Coloma,
W. B. Dickenson, Yuba,
James Queen, South Fork,
W. L. Jenkin, Weaverville.

PEOPLE'S TICKET.

FOR THE CONSTITUTION.

FOR GOVERNOR,

Peter H. Burnett.

FOR LIEUTENANT-GOVERNOR,

John McDougal.

FOR REPRESENTATIVES IN CONGRESS,

Edward Gilbert,

George W. Wright.

FOR STATE SENATORS,

John Bidwell, Upper Sacramento,
Murray Morrison, Sacramento City,
Harding Bigelow, Sacramento City,
Gilbert A. Grant, Vernon.

FOR ASSEMBLY,

H. C. Cardwell, Sacramento City,
P. B. Cornwall, Sacramento City,
John S. Fowler, Sacramento City,
H. S. Lord, Upper Sacramento,
Madison Waltham, Coloma,
W. B. Dickenson, Yuba,
James Queen, South Fork,
Arba K. Berry, Weaverville.

The popular voice also made San José the Capital; but let us here describe the interesting preliminaries attending this consummation.

SAN JOSÉ MADE THE STATE CAPITAL.—During the session of the Convention the residents of San José, in public meeting assembled, elected a committee to proceed to Monterey, to there use their utmost endeavors with the members to have San José named in the Constitution the State Capital. They found a staunch opponent at once in the person of Dr. Robert Semple, the President, who coveted the honor for his then rising town of Benicia, he offering at the time that if the favorers of the San José scheme would agree to permit the first session to be held at the former place he doubted not but the permanent location at the latter could be readily effected. This, however, did not suit the views of San José's plenipotentiaries, and, as if to bait the hook, they emphatically promised to be ready with a suitable building by the 15th of December, about the time when the Legislature would sit—a rash promise enough when is taken into consideration the fact that such an edifice had not then been completed in the town. Let us see how the pledge was redeemed. At that time there stood on the east side of what is now called Market Square, San José, a large adobe structure, erected in the year 1849 by Sainsevain and Rochon, which was meant by them for a hotel. This edifice, as the most suitable the town could offer for a State House, the Ayuntamiento, or Town Council, proposed to rent for the Legislature, but the price asked was so exorbitant, four thousand dollars per month, that it was deemed best to purchase the building outright; but here the proprietors declared themselves unwilling to take the public authorities as security, who were consequently placed in the two-fold dilemma of being without the requisite funds to effect the purchase and no credit to rent it. Happily those citizens in whose coffers lay most of the wealth, rather than see the future glories attendant on the presence of the Legislature in San José glide from them, with marvelous generosity came forward to save the honor of the delegates to the Convention, as well as the credit of the Town Council, and nineteen of them executed a note for the price asked, thirty-four thousand dollars, with interest at the rate of eight per cent. per month from date until paid. A conveyance was made to three of their number, who held the premises in trust for the purchasers, to be ultimately conveyed to the Town Council when it could pay for them. An appropriation of fifty thousand dollars, purchase money for the building, was made by the Legislature, and bonds bearing interest at the rate of two and one-half per cent. per month for that amount were issued; but the credit of the new State, unfortunately, was below par; actual cash in hand was the slogan of the vendors. The bonds were sacrificed at the rate of forty cents on the dollar, and the amount received thereby used in partial liquidation of the debt, the liability remaining being subsequently the cause of vexatious and protracted litigation.

On Saturday, December 15, 1849, the first State Legislature of California met at San José, E. Kirby Chamberlin being elected President *pro tem.* of the Senate, and Thomas J. White Speaker of the Assembly. On the opening day there were only six Senators present; the following day Governor Riley and his Secretary, H. W. Halleck, arrived, and on Monday nearly all members were in their places.



Ezra Decoto



MEMBERS OF FIRST CALIFORNIA LEGISLATURE.—We will now introduce to our readers a number of those of California's first Legislators—an interesting record of by-gone times:—

SENATORS.

DAVID F. DOUGLASS.—Born in Sumner County, Tennessee, the 8th of January, 1821. Went to Arkansas with Fulton in 1836. On the 17th of March, 1839, had a fight with Doctor William Howell, in which Howell was killed; imprisoned fourteen months; returned home in 1842; emigrated to Mississippi; engaged in the Choctaw speculation; moved with the Choctaws west as a clerk; left there for Texas in the winter of 1845-46. War broke out; joined Hays' regiment; from Mexico emigrated to California, and arrived here as a wagoner in December, 1848.

M. G. VALLEJO.—Born in Monterey, Upper California, July 7, 1807. On the 1st of January, 1825, he commenced his military career in the capacity of a cadet. He served successively in the capacity of Lieutenant, Captain of Cavalry, Lieutenant-Colonel, and General Commandant of Upper California. In 1835, he went to Sonoma County and founded the town of Sonoma, giving land for the same. He was a member of the Convention in 1849 and Senator in 1850.

ELCAN HAYDENFELDT.—Born in Charleston, South Carolina, September 15, 1821. Emigrated to Alabama in 1841; from thence to Louisiana in 1844; to California in 1849. Lawyer by profession.

PABLO DE LA GUERRA.—Born in Santa Barbara, Upper California, November 19, 1819. At the age of nineteen he entered the public service. He was appointed Administrator-General "*de la rentas*," which position he held when California was taken by the American forces. From that time he lived a private life until he was named a member of the Convention which framed the Constitution of the State. Represents the districts of Santa Barbara and San Luis Obispo in the Senate.

S. E. WOODWORTH.—Born in the city of New York, November 15, 1815. Commenced career as a sailor, A. D. 1832. Sailed from New York March 9, 1834. Entered the navy of the United States June 14, 1838. Emigrated to California, *via* Rocky Mountains and Oregon, April 1, 1846. Resignation accepted by Navy Department October 29, 1849. Elected to represent the district of Monterey in the Senate of the first Legislature of California, for the term of two years.

THOMAS L. VERMEULE.—Born in New Jersey on the 11th of June, 1814. Immigrated to California November 12, 1846. Did represent San Joaquin District in the Senate. Resigned.

W. D. FAIR.—Senator from San Joaquin District, California. Native of Virginia. Emigrated to California from Mississippi in February, 1849, as President of the "Mississippi Rangers." Settled in Stockton, San Joaquin District, as an Attorney-at-law.

ELISHA O. CROSBY.—Senator from Sacramento District. Native of New York State. Emigrated from New York December 25, 1848. Aged thirty-four years.

D. C. BRODERICK.—Senator from San Francisco. Born in Washington City, D. C., February 4, 1818. Emigrated from Washington to New York City March, 1824. Left New York for California April 17, 1849.

E. KIRBY CHAMBERLIN, M. D.—President *pro tem.* of the Senate, from the dis-

trict of San Diego. Born in Litchfield County, Connecticut, April 24, 1805. Emigrated from Connecticut to Onondaga County, New York, in 1815; thence to Beaver, Pennsylvania, in 1829; thence to Cincinnati, Ohio, in 1842; served as surgeon in the United States Army during the war with Mexico; appointed surgeon to the Boundary Line Commission, February 10, 1846; embarked from Cincinnati, Ohio, February 15th; arrived in San Diego June 1, 1849, and in San José December 12, 1849.

J. BIDWELL.—Born in Chautauqua County, New York, 5th of August, 1819. Emigrated to Pennsylvania; thence to Ohio; thence to Missouri; thence, in 1841, to California. Term in Senate, one year.

H. C. ROBINSON.—Senator from Sacramento; elected November 15, 1849. Born in the State of Connecticut. Emigrated at an early age to Louisiana. Educated as a lawyer, but engaged in commercial pursuits. Arrived at San Francisco, February, 1849, per steamer *California*, the first that ever entered said port.

BENJAMIN S. LIPPENCOTT.—Senator from San Joaquin. Born in New York. Emigrated February, 1846, from New Jersey. By pursuit a merchant. Elected for two years.

ASSEMBLYMEN.

ELAM BROWN.—Born in the State of New York in 1797. Emigrated from Massachusetts in 1805; to Illinois in 1818; to Missouri, 1837, and Platte County, in Missouri, 1846, to California.

J. S. K. OGIER.—Born in Charleston, South-Carolina. Emigrated to New Orleans, 1845, and from there to California, December 18, 1848.

E. B. BATEMAN, M. D.—Emigrated from Missouri, April, 1847. Residence, Stockton, Alta California.

EDMUND RANDOLPH.—Born in Richmond, Virginia. Emigrated to New Orleans, 1843; thence to California, 1849. Residence, San Francisco.

E. P. BALDWIN.—Born in Alabama. Emigrated from thence in January, 1849. Arrived in California, May 1, 1850. Represents San Joaquin District. Resides in Sonora, Tuolumne County.

A. P. CRITTENDEN.—Born in Lexington, Kentucky. Educated in Ohio, Alabama, New York, and Pennsylvania. Settled in Texas in 1839. Came to California in 1849. Represents the county of Los Angeles.

ALFRED WHEELER.—Born in the city of New York, the 30th day of April, 1820. Resided in New York City until the 1st of May, 1849, when he left for California. Citizen and resident of San Francisco, which district he represents.

JAMES A. GRAY.—Philadelphia, Monterey, California. Emigrated in 1846 in the first New York Regiment of Volunteers.

JOSEPH ARAM.—Native of the State of New York. Emigrated to California, 1846. Present residence, San José, Santa Clara County.

JOSEPH C. MOREHEAD. Born in Kentucky. Emigrated to California in 1846. Resides at present in the county of Calaveras, San Joaquin District.

BENJAMIN CORY, M. D.—Born November 12, 1822. Emigrated to the Golden State in 1847. Residence in the valley of San José.

THOMAS J. HENLEY.—Born in Indiana. Family now resides in Charlestown in that State. Emigrated to California in 1849, through the South Pass. Residence at Sacramento.

JOSÉ N. COVARRUBIAS.—Native of France. Came to California in 1834. Residence in Santa Barbara, and representative for that district.

ELISHA W. MCKINSTRY.—Born in Detroit, Michigan. Emigrated to California in March, 1849. Residence in Sacramento District, city of Sutter.

GEORGE B. TINGLEY.—Born August 15, 1815, Claremont County, Ohio. Emigrated to Rushville, Indiana, November 4, 1834. Started for California April 4, 1849. Reached there October 16th; was elected to the Assembly November 13th, from Sacramento District, and is now in Pueblo de San José.

JOHN S. BRADFORD.—Represented the district of Sonoma.

At the start considerable dissatisfaction was felt in respect to the accommodation offered by the State House, and only four days after its first occupation, George B. Tingley, a member from Sacramento, introduced a bill to remove the Legislature to Monterey. It only passed its first reading and was then consigned to the purgatory of further action.

GOVERNOR BURNETT ASSUMES OFFICE.—Governor Riley resigned his Gubernatorial functions to Governor Peter H. Burnett on the 20th of December, 1849; on the same date Secretary of State Halleck was relieved of his duties, and at noon of the day following the new Governor delivered his first message. On this day also Colonel J. C. Fremont received a majority of six votes, and Dr. William M. Gwin a majority of two, for the United States Senate.

STATE CAPITAL REMOVED.—And now a monster enemy to the interests of San José appeared in the field.

In the year 1850 General-Senator Mariano Guadalupe Vallejo became convinced that the capital of California should be established at a place which he designed to name Eureka, but which his colleagues in the Legislature, out of compliment to himself, suggested should be named Vallejo. To this end the General addressed a memorial to the Senate, dated April 3, 1850, wherein he graphically pointed out the advantages possessed by the proposed site over other places which claimed the honor. In this remarkable document, remarkable alike for its generosity of purpose as for its marvelous foresight; he proposed to grant twenty acres to the State, free of cost, for a State Capitol and grounds, and one hundred and thirty-six acres more for other State buildings, to be apportioned in the following manner: Ten acres for the Governor's house and grounds; five acres for the offices of Treasurer, Comptroller, Secretary of State, Surveyor-General, and Attorney-General, should the Commissioners determine that their offices should not be in the capitol building; one acre to State Library and Translator's office, should it be determined to separate them from the State House building; twenty acres for an Orphan Asylum; ten acres for a Male Charity Hospital; ten acres for a Female Charity Hospital; four acres for an Asylum for the Blind; four acres for Deaf and Dumb Asylum; eight acres for four Common Schools; twenty acres for a State University; four acres for a State Botanical Garden; and twenty acres for a State Penitentiary.

But with a munificence casting this already long list of grants into the shade, he further proposed to donate and pay over to the State, within two years after the

acceptance of these propositions, the gigantic sum of three hundred and seventy thousand dollars, to be apportioned in the following manner: For the building of a State Capitol, one hundred and twenty-five thousand dollars; for furnishing the same, ten thousand dollars; for building of the Governor's house, ten thousand dollars; for furnishing the same, five thousand dollars; for the building of State Library and Translator's office, five thousand dollars; for a State Library, five thousand dollars; for the building of the offices of the Secretary of State, Comptroller, Attorney-General, Surveyor-General, and Treasurer, should the Commissioners deem it proper to separate them from the State House, twenty thousand dollars; for the building of an Orphan Asylum, twenty thousand dollars; for the building of a Female Charity Hospital, twenty thousand dollars; for the building of an Asylum for the Blind, twenty thousand dollars; for the building of a Deaf and Dumb Asylum, twenty thousand dollars; for the building of a State University, twenty thousand dollars; for University Library, five thousand dollars; for scientific apparatus therefor, five thousand dollars; for chemical laboratory therefor, three thousand dollars; for a mineral cabinet therefor, three thousand dollars; for the building of four common schools, ten thousand dollars; for purchasing books therefor, one thousand dollars; for the building of a Lunatic Asylum, twenty thousand dollars; for a State Penitentiary, twenty thousand dollars; for a State Botanical Collection, three thousand dollars.

In his memorial the General states, with much perspicacity, his reasons for claiming the proud position for the place suggested as the State Capital. Mark the single-ness of purpose with which he bases these claims:—

“Your memorialist, with this simple proposition (namely, that in the event of the Government declining to accept his terms, it should be put to the popular vote at the general election held in November of that year—1850,) might stop here, did he not believe that his duty as a citizen of California required him to say thus much in addition—that he believes the location indicated is the most suitable for a permanent seat of government for the great State of California, for the following reasons: That it is the true center of the State, the true center of commerce, the true center of population, and the true center of travel; that while the Bay of San Francisco is acknowledged to be the first on the earth, in point of extent and navigable capacities, already, throughout the length and breadth of the wide world, it is acknowledged to be the very center between Asiatic and European commerce. The largest ship that sails upon the broad sea can, within three hours, anchor at the wharves of the place which your memorialist proposes as your permanent seat of government. From this point, by steam navigation, there is a greater aggregate of mineral wealth within eight hours' steaming, than exists in the Union; besides, from this point the great north and south rivers—San Joaquin and Sacramento—cut the State longitudinally through the center, bringing the immense gold deposits on the one hand, and untold mercury and other mineral resources on the other; from this point steam navigation extends along the Pacific Coast south to San Diego, and north to the Oregon line, affording the quickest possible facilities for our sea-coast population to reach the State Capital in the fewest number of hours. This age, as it has been truly remarked, has merged distance into time. In the operations of commerce and the intercourse of mankind, to measure miles by the rod is a piece of vandalism of a by-gone age; and that point which can be

approached from all parts of the State in the fewest number of hours, and at the cheapest cost, is the truest center.

"The location which your memorialist proposes as the permanent seat of government is certainly that point.

"Your memorialist most respectfully submits to your honorable body whether there is not a ground of even still higher nationality? It is this: that at present, throughout the wide extent of our sister Atlantic States, but one sentiment seems to possess the entire people, and that is, to build, in the shortest possible time, a railroad from the Mississippi to the Bay of San Francisco, where its western terminus may meet a three weeks' steamer from China. Indeed, such is the overwhelming sentiment of the American people upon this subject, that there is but little doubt to apprehend its early completion. Shall it be said, then, while the world is coveting our possession of what all acknowledge to be the half-way house of the earth's commerce—the great Bay of San Francisco—that the people of the rich possessions are so unmindful of its value as not to ornament her magnificent shores with a Capital worthy of a great State?"

Upon receipt of General Vallejo's memorial by the Senate, a committee, composed of members who possessed a local knowledge of the country, comprised in the above-quoted document, both geographical and topographical, were directed to report, for the information of the President, upon the advantages claimed for the location of the capital at the spot suggested, in preference to others. The report, in which the following words occur, was presented to the Senate on April 2, 1850: "Your committee cannot dwell with too much warmth upon the magnificent propositions contained in the memorial of General Vallejo. They breathe throughout the spirit of an enlarged mind, and a sincere public benefactor, for which he deserves the thanks of his countrymen and the admiration of the world. Such a proposition looks more like the legacy of a mighty Emperor to his people than the free donation of a private planter to a great State, yet poor in public finance, but soon to be among the first of the earth."

The report, which was presented by Senator D. C. Broderick, of San Francisco, goes on to point out the necessities which should govern the choice of a site for California's capital; recapitulates the advantages pointed out in the memorial; and, finally, recommends the acceptance of General Vallejo's offer. This acceptance did not pass the Senate without some opposition and considerable delay; however, on Tuesday, February 4, 1851, a message was received from Governor Burnett, by his private secretary, Mr. Ohr, informing the Senate that he did this day sign an Act originating in the Senate, entitled "An Act to provide for the permanent location of the Seat of Government." In the meantime General Vallejo's bond had been accepted; his solvency was approved by a committee appointed by the Senate to inquire into that circumstance; the report of the Commissioners sent to mark and lay out the tracts of land proposed to be donated was adopted, and, on May 1, 1851, the last session of the Legislature in San José was completed; but the archives were not moved to the new seat of government at Vallejo at that time, the want of which was the cause of much dissatisfaction among the members.

The Legislature first met at Vallejo on January 5, 1852, but there was wanting

that attraction of society which would appear to be necessary to the seat of every central government. With these Sacramento abounded, from her proximity to the mines. The Assembly, therefore, with a unanimity bordering on the marvelous, passed a bill to remove the session to that city, ball tickets and theater tickets being tendered to the members in reckless profusion. The bill was transferred to the Senate, and bitterly fought by the Hons. Paul K. Hubbs and Phil. A. Roach. The removal was rejected by *one* vote. This was on a Saturday, but never was the proverb of "we know not what the morn may bring forth," more fully brought to bear on any consideration. Senator Anderson, it is said, passed a sleepless night through the presence of unpleasant insects in his couch; on the Monday morning he moved a reconsideration of the bill. The alarm was sounded on every hand, and at two P. M., on January 12, 1852, the Government and Legislature were finding their way to Sacramento by way of the Carquinez Straits. On March 7, 1852, a devastating flood overwhelmed Sacramento, and where they had before feared contamination, they now feared drowning. The Legislature adjourned at Sacramento May 4, 1852, the next session to be held at Vallejo. On January 3, 1853, the peripatetic Government met again at Vallejo, whither had been moved in the previous May the State offices. Once more the spirit of jealousy was rampant. Sacramento could not with any grace ask for its removal thither again, but she, working with Benicia, the Capital was once more on wheels, and literally carted off to the latter town for the remaining portion of the session, where it remained until a bill was passed to fix the Capital of the State at Sacramento, and thereafter clinched by large appropriations for building the present magnificent capitol there.

The Capital being removed from San José, the Town Council sold the State House for thirty-eight thousand dollars, which sum it was intended should be applied to the liquidation of the note mentioned above. The money, it would appear, was not so applied, therefore legal proceedings were instituted by the gentlemen holding the premises in trust for the purchasers, or their representatives, against the city, to obtain the foreclosure of a mortgage executed to them by the civic authorities in 1850, to secure the purchase of the property. A decree of foreclosure was obtained, the public lands brought to the hammer, and bought in by the trustees of the plaintiffs who had organized themselves into a land company, and claimed title to *all* the pueblo lands, a claim which was resisted to the bitter end by the pueblo authorities.

The question of the legality of the removal was brought up in 1854, before the Supreme Court, when a majority of the Justices, Heydenfeldt and Wells, held that, according to law, San José was the Capital of the State, who thereupon made the following order, March 27th:—

"It is ordered that the Sheriff of Santa Clara County procure in the town of San José, and properly arrange and furnish, a Court-room, Clerk's office, and consultation room for the use of the Court. It is further ordered that the Clerk of this Court forthwith remove the records of the Court to the town of San José. It is further ordered that the Court will meet to deliver opinions at San José, on the first Monday in April, and on that day will appoint some future day of the term for the argument of cases.

"HEYDENFELDT, J.

"WELLS, J.

"Attest: D. K. WOODSIDE, *Clerk.*"

A writ of mandamus, on the strength of the above, was issued from the Third District Court against all the State officers, commanding that they should remove their offices to San José, or show cause why they should not do so. The argument was heard and the theory maintained that San José was the proper capital of the State, whereupon an appeal was carried to the Supreme Court. In the *interim* Justice Wells had died, his place being filled by Justice Bryant. On the appeal, the Supreme Court decided that San José was *not* the State Capital, from which decision Justice Heydenfeldt dissented.

Hitherto we have dwelt principally upon the establishment of the State Capital, a matter but little known to the general public; we will now turn to the particular records of Alameda County, before touching upon which, however, we will briefly allude to the position of Contra Costa County before the year 1853.

POLITICAL HISTORY PRIOR TO 1853.—In the year 1852, and while Alameda was still a portion of Contra Costa County, an Act providing that "the stream called San Antonio Creek, in the county of Contra Costa, is declared navigable from its mouth to the old Embarcadero of San Antonio, and no obstruction to the navigation thereof shall be permitted," was passed; yet notwithstanding, the question has frequently "cropped up" since then, and indeed has been the subject of much legislation not only in our own State Capital, but in Washington also. In this year, too, the town of Oakland was incorporated, the chief promoter of the scheme being Horace W. Carpentier, while early in the following year the towns of Clinton and Oakland were commenced to be connected by a bridge across the slough of San Antonio, an affair whose history we now place before the reader, as given in a "Statement of Facts," drawn up for the State Legislature by Judge Thomas A. Brown of Contra Costa:—

On October 28, 1852, the Board of Supervisors of Contra Costa County made a contract with T. C. Gilman to build a bridge across the San Antonio Creek, in Oakland, the contract price being seven thousand four hundred dollars. It was stipulated in the contract that should the Treasurer refuse to pay any warrant or order drawn in favor of Gilman, the Treasurer having in his hands any money belonging to said county, they agreed to pay Gilman a penalty of five per cent. per month, to be deemed an interest. On March 8, 1853, the Board of Supervisors met and accepted the bridge, and made an order directing the County Auditor to draw a warrant upon the County Treasurer, in favor of Gilman, for seven thousand six hundred and sixty-two dollars and fifty cents, being the contract price of the bridge, together with interest thereon at five per cent. per month from the time the bridge had been completed up to the period the order was made. A warrant was drawn (number two hundred and sixteen) by the Auditor, in favor of Gilman, and delivered to him, March 8, 1853, for seven thousand six hundred and sixty-two dollars and fifty cents. The warrant was accepted by Gilman, and on the same day was presented by him to the County Treasurer, and the Treasurer made the following indorsement on the warrant: "Not paid for want of funds; March eighth, eighteen hundred and fifty-three; D. Hunsaker, Treasurer, by A. M. Holliday, Deputy." Gilman retained the warrant. It does not appear that Gilman presented his warrant to the Treasurer for payment again. On November 15, 1854, Gilman commenced an action against the county of Contra Costa to recover the

contract price of the bridge, together with five per cent. per month interest from and after March 8, 1853. The cause was tried in Solano County, and judgment was rendered in favor of the county. An appeal was taken to the Supreme Court, the judgment of the District Court was reversed and a new trial ordered. The cause was again tried in the District Court on January 30, 1856, and judgment was rendered against the county for twenty thousand four hundred and twenty-seven dollars, being the amount of the original contract price of the bridge, with five per cent. interest thereon from March 8, 1853, to the date of the judgment, and the said judgment to bear interest at five per cent. per month. On February 14, 1855, an Act was passed funding all the indebtedness of Contra Costa County which accrued prior to April 1, 1855, and the thirteenth section of the act provided that it should not be lawful for the County Treasurer to pay or liquidate any of the indebtedness of said county of Contra Costa, which accrued prior to February 1, 1855, *in any other manner* than in such Funding Act provided (Statutes 1855, page 12). Gilman did not present his claim to be funded. That on January 10, 1857, Gilman caused execution to be issued on the judgment in his favor, recovered on January 30, 1856, for twenty thousand four hundred and twenty-seven dollars. The execution was levied on all the monies in the county treasury belonging to all Funds. This levy was made January, 19, 1857. On February 25, 1857, the Sheriff, under the direction of Gilman, levied on the Court House, and on March 5, 1857, again levied on the funds in the county treasury. In March, 1857, the county moved the District Court to quash the execution and the several levies. The District Court denied the motion. The cause was appealed to the Supreme Court, and the Supreme Court reversed the order of the District Court, and ordered the executions should be quashed and the levy vacated, the Court holding that the county buildings were exempt from seizure and forced sale on execution; and also held that the levies upon the revenues in the hands of the Treasurer were illegal and void; that the revenues were authorized by law, and appropriated to distinct purposes, and were not the object of seizure upon execution (8 Cal. Rep., page 58).

On July 9, 1857, Gilman caused another execution to be issued on said judgment, and levied on private property, being an undivided eighth of the San Pablo Rancho. The property was advertised for sale, and the owner, Joseph Emeric, obtained an injunction from the District Court of the Seventh District, enjoining the sale. The case was appealed to the Supreme Court; that Court decided (10 Cal., p. 404) that the private property of an inhabitant of a county is not liable to seizure and sale on execution for the satisfaction of a judgment recovered against the county, and that no execution can issue upon a judgment rendered against the county. Gilman again caused an execution to be issued on his judgment against the county, on April 1, 1858, and levied the same on the funds in the county treasury. A motion was made to set aside the execution and quash the levy; the District Court granted the motion, and Gilman appealed to the Supreme Court. The Supreme Court affirmed the order of the District Court (10 Cal. Rep., p. 508). This left Gilman without any remedy whatever to collect his debt, and the county without any power or authority whatever to pay. The Supreme Court having decided, in the case of Hunsaker vs. Borden (5 Cal. Rep., p. 288), that the county of Contra Costa had no power to pay any of the indebtedness which existed against that county prior to February 1, 1855, in any



Thos W. Mulford

other manner than as prescribed in the Act to fund the indebtedness of said county, passed February 14, 1855, and that the payment in any other manner was unlawful. Gilman's debt having been contracted prior to February 1, 1855, and he having failed and neglected to fund his debt, he was without remedy. The rights of the parties continued thus until March 14, 1860, when an Act was passed entitled "An Act providing for the payment of a judgment in favor of Trusten C. Gilman, against the County of Contra Costa." (Stat. 1860, p. 94.) In the preamble of the Act it is recited:—

"WHEREAS, The Supreme Court has affirmed a judgment entered in the Seventh Judicial District Court, in favor of Trusten C. Gilman against the county of Contra Costa, which judgment was entered in said District Court on the twenty-second of March, eighteen hundred and fifty-six, for the sum of twenty thousand, four hundred and twenty-seven dollars, and interest and costs."

The Act provides for levying and collecting a special tax of one per cent. on the taxable property in the county to pay said judgment, together with interest thereon at ten per cent. per annum from its date. The fifth section of the Act provides that the Treasurer of the county of Contra Costa should pay the money collected by virtue of the Act from time to time, upon demand, to said Trusten C. Gilman, his executors, administrators, or assignees, and at the same time take a receipt therefor from his assigns; and have said judgment credited with said payment or payments by the proper party or parties entitled to receive the same; and the said party or parties entitled to receive from the Treasurer the payment of said judgment, shall, before any payments are made by the Treasurer on account of the same, deliver to the Treasurer the warrant heretofore issued in favor of said Gilman, and known as Warrant Number Two Hundred and Sixteen, and the Treasurer shall cancel the same. Section eight of said Act provides that said T. C. Gilman, or his assigns, should be allowed until the first Monday in August next hereafter to make known to the Board of Supervisors of said county his or their acceptance of said amount in full satisfaction and payment of all demands accruing at any time in his favor against the county of Contra Costa for building a bridge across the San Antonio Creek; *provided*, that if he fail to declare said acceptance to the Board of Supervisors on or before the first Monday in August next, then said special tax shall not be collected.

That on August 6, 1860, George F. Sharp, to whom Gilman had assigned said judgment, and who was the legal assignee of the judgment, rendered in favor of Gilman against the county of Contra Costa on March 22, 1856, for twenty thousand four hundred and twenty-seven dollars, with interest and costs, came before the Board of Supervisors of Contra Costa County, and in writing accepted the provisions of the Act of March 14, 1860, in full satisfaction and payment of all demands accruing at any time in favor of said Gilman against the county of Contra Costa for building a bridge across the San Antonio Creek, and he also surrendered to the Treasurer of said county, as provided in said Act, the county warrant, number two hundred and sixteen, for seven thousand six hundred and sixty-two dollars and fifty cents, which was canceled, as provided in the fifth section of the Act. On the same day, August 6, 1860, the Board of Supervisors of Contra Costa County levied a tax of one per cent. on the taxable property of the county, as provided in said Act, for the

payment of said claim. The payments made by the Treasurer to Sharp, as the assignee of said judgment and in satisfaction of said claim, amounted in the aggregate, on June 19, 1862, the time of the last payment, to thirty-one thousand, six hundred and eleven dollars and twenty-one cents, that being the full sum due for principal and interest, as in said Act provided. And upon making the several payments the Treasurer took from said Sharp receipts as follows: "Office of the County Treasurer of Contra Costa County. — Received from Hiram Fogg, County Treasurer of Contra Costa County, the sum of ten thousand dollars, lawful currency of the United States of America, in part payment and satisfaction of the judgment recovered by Trusten C. Gilman against the county of Contra Costa. The said sum is paid out of the Gilman Judgment Fund, which was levied and collected in pursuance of an Act of the Legislature of the State of California, entitled an 'Act providing for the payment of a judgment in favor of Trusten C. Gilman against the county of Contra Costa, approved March 14, 1860, and by order of the Board of Supervisors of Contra Costa County, made on the sixth of August, eighteen hundred and sixty, a copy being annexed to this receipt; the said sum is received in part satisfaction of said judgment, in accordance with the provisions of the said Act of the Legislature, and I hereby authorize satisfaction of the amount receipted for to be entered." There were thirteen different payments made, and thirteen receipts given by Sharp, as assignee of Gilman, to the Treasurer, of like tenor to the above. The debt was fully paid, as provided in said Act, on June 19, 1862.

That on March 15, 1860, prior to the passage of the Act of March 14th mentioned, George F. Sharp, as the assignee of Gilman, commenced an action in the District Court of Solano County to revive the judgment of March 22, 1856, in favor of Gilman and against the county, for twenty thousand four hundred and twenty-seven dollars, with five per cent. per month interest. Judgment was entered in said action in favor of Sharp, assignee of Gilman, by default, in the Clerk's office, on July 18, 1860, for eighty-five thousand and forty-two dollars and eighty cents. No action was taken by Sharp on this last judgment until long after he had been fully paid, as stated, on and prior to June 19, 1862.

That on July 16, 1865, Sharp commenced another action to revive the last judgment of eighty-five thousand and forty-two dollars and eighty cents, against the county. The action was commenced in the Fifteenth District Court in San Francisco City and County. The county defended the action on the ground that the debt had been fully paid, satisfied and discharged. The cause was tried; judgment was rendered in the District Court in favor of the county. The Court decided that the county had fully paid and satisfied the said debt and the said judgment, and ordered and directed that Sharp should cancel and satisfy said judgment of record. Sharp appealed from said judgment to the Supreme Court. The judgment of the District Court was affirmed. The Supreme Court held that the county was not either legally or equitably indebted upon the demand in any sum whatever, but on the contrary, that the county had, under the Act of March 14, 1860, fully paid and discharged the said claim. The case is entitled "Sharp vs. Contra Costa County," and is reported in 34 Cal. Rep., p. 284.

Gilman's claim is now (1872) made to the Legislature for the same identical

claim for building the bridge across the San Antonio Creek, and in relation to which the litigation named was had, and the same for which payment was provided in the Act of March 14, 1860, and is the same which was fully paid and satisfied under said Act. His county warrant has been surrendered and canceled; his judgment has been paid, satisfied, and discharged, and satisfaction entered of record; he now makes a claim against the county of over six hundred and seventy-six thousand and ninety dollars upon this claim. It is submitted that the county has not only paid the claim, but has actually paid more than double what was due him according to law. When Gilman received his warrant for seven thousand four hundred dollars, on March 8, 1853, and presented the same to the Treasurer, the Treasurer made the indorsement thereon required by law. From that time the debt drew ten per cent. per annum, interest, and no more. Section ten of the Act concerning County Treasurers, passed March 27, 1850, (Statutes, 1850, p. 115) provides when any warrants shall be presented to the County Treasurer for payment, and the same is not paid for the want of funds, the Treasurer shall indorse thereon "not paid for want of funds," annexing the date of presentation, and sign his name thereto; and from that time till redeemed, said order or warrant shall bear ten per cent. per annum. That section of the Statute has been in force ever since it was passed in 1850. When Gilman accepted his warrant, and presented it to the Treasurer and procured it to be indorsed by him, and had received it back into his possession, he knew, or was bound to know what the law was; and from that time no officer was authorized by law to pay any greater rate of interest on that debt than ten per cent. per annum. The interest on the debt up to June 19, 1862, the time when the full amount was paid under the Act of 1860—being nine years and three and one-third months, would have been six thousand eight hundred and sixty-five dollars, which, added to the principal, seven thousand four hundred dollars, amounted to fourteen thousand two hundred and sixty-five dollars. * The county actually paid thirty-one thousand six hundred and eleven dollars and twenty-one cents, being seventeen thousand three hundred and forty-six dollars and twenty-one cents more than was due on the warrant, according to the law concerning indebtedness of counties.

The facts in this case are fully set out and authenticated in the record on the appeal of the action of Sharp *vs.* The County of Contra Costa, in the Supreme Court, in the case reported in 34 Cal. p. 284. The transcript, briefs, and decisions of the District Court, with its findings, and the testimony in the case, will be found bound in Volume LXX of California Supreme Court Records, pp. 50 to 102.

The petitioner has no claims whatever upon the county, either legal or equitable; but he has been paid by the county actually more than twice as much as was justly due him, and his present claim is a sham without foundation, and is neither supported by equity nor good conscience, and should be postponed indefinitely.

Ere the segregation of Alameda County, an election for the position of Member of the Assembly was held on March 26, 1853, when three candidates, viz., Horace W. Carpentier of Oakland, Robert S. Farrelly of "Squatterville" or San Lorenzo, and B. R. Holliday of Martinez, entered the field. The election was subsequently contested in the House, and is here mentioned to give to the reader, not only an idea of what the voting strength of the district was then, but also to throw light upon the manner

in which elections were carried on. The highest number of votes were polled by Mr. Carpentier, against which Mr. Farrelly protested on the ground of fraud, upon which plaint a certificate of election was refused to Mr. Carpentier by the County Clerk, and the matter handed over to be unraveled by the Committee on Elections of the Legislature. Mr. Carpentier claimed five hundred and nineteen votes; Mr. Farrelly, two hundred and fifty-four, and Mr. Holliday one hundred and ninety-two, thus showing a majority of seventy-three votes in favor of the first named. S. J. Clark, attorney for Mr. Farrelly, presented various grounds of objection, and forcibly signified fraud on the part of Mr. Carpentier, as well as collusion on the part of the Board of Judges, Inspectors and Clerks of Contra Costa or Oakland Township. In the examination it was ascertained that the whole number of votes cast in the township was three hundred and seventy-seven, while, according to the testimony of the agent who took the census of the township, but ten short weeks before, there were only one hundred and thirty votes within its limits—a rather unprecedented influx of people in so limited a space of time. It was also declared that it took almost two hours to count the Carpentier tickets which lay in a compact yellow mass at the top of the box, ere any white ones, representing Farrelly, were reached, and yet three of the last voters who cast their ballots at sundown swore positively that they had voted white tickets for Farrelly. An affidavit was made by a man named Ford, that he crossed on the ferry-boat to San Francisco on the day of the election and there found a man called Gilman who said he had thirty-seven workmen for his bridge on board and was arranging for their fare. These men, or some of them, Ford afterwards recognized voting at the polls, while he heard one of them say that he had voted *seven* times. The Board of Supervisors of Contra Costa County, however, took the view that Mr. Carpentier was duly elected, and made affidavits to that end, and a majority of four to six of the Committee on Elections were of the like opinion, and reported in favor of his taking his seat, in which he was duly confirmed, and sworn in April 11, 1853.

We will now proceed with the recorded events as found in the minutes of meetings and proceedings of the Courts of Sessions and Boards of Supervisors.

THE RECORDS.—In the month of May, 1853, the first election of officers took place, when any man who sought official distinction was at full liberty to seek the suffrages of his fellow-citizens. This election was long known as the "steeple chase" for there were from five to six candidates for each office, while many of the would-be county officers appeared in the poll-lists under nick-names. The following gentlemen were eventually elected in accordance with the provisions of the Organic Act: Addison M. Crane, County Judge; A. N. Broder, Sheriff; William H. Coombs, District Attorney; A. M. Church, County Clerk; J. S. Marston, Treasurer; Joseph S. Watkins, Public Administrator; William H. Chamberlain, Coroner; H. A. Higley, Surveyor; George W. Goucher, Assessor; W. W. Brier, Superintendent of Schools. The Senator was Jacob Grewell, who continued to act as Joint Senator for the three counties of Santa Clara, Alameda, and Contra Costa, while the first chosen Member of Assembly was Joseph S. Watkins. The Third Judicial District held sway over this portion of the State, the Judge being Craven P. Hester.

1853.—The first meeting of the Court of Sessions was held in the town of Alvarado on Monday, June 6, 1853, when there were present Hon. A. M. Crane, County Judge; A. M. Church, County Clerk; Andrew H. Broder, Sheriff; William H. Coombs, District Attorney; together with the five Justices of the Peace elect, viz., A. W. Harris, I. S. Long, David S. Lacey, A. Marier and John McMurtry. The first duty undertaken was the selection from among these last-named gentlemen of two to serve as Associate Justices, the choice falling upon Messrs. Lacey and Long, who, after producing their certificates of election, were duly installed, and with the County Judge constituted the first Court of Sessions of Alameda County. Mr. Coombs, the District Attorney elect, then produced his license as attorney and counselor at law, and was duly admitted to practice in open court. The county was next divided into the six townships of Oakland, Contra Costa, Clinton, Eden, Washington, and Murray, as mentioned elsewhere, and thus was the machinery of Alameda put in motion.

On August 4, 1851, the Court of Sessions of Contra Costa County granted a license to H. W. Carpentier and A. Moon to run a ferry "from Contra Costa, in the township of San Antonio, to the city of San Francisco," the tariff being then fixed as follows:—

For one person.....	\$1.00
" one horse.....	3.00
" one wagon.....	3.00
" one two-horse wagon.....	5.00
" neat cattle, per head.....	3.00
" each hundred-weight.....	.50
" each sheep.....	1.00
" each hog.....	1.00

This enterprise had blossomed into a joint stock company during the two years of its existence, for we find, at the first meeting of the Court of Sessions of Alameda County, that H. W. Carpentier as attorney for the Contra Costa Steam Navigation Company, made application for a renewal of the license for one year, which was granted and the following rates declared leviable:—

For one foot passenger,.....	\$.50
" horses, mules and cattle, per head.....	2.00
" empty wagons, each.....	1.50
" hogs and sheep, per head.....	.50
" freight, per hundred-weight.....	.25

Then came petitions for public roads and the designation of road districts, and, again, Mr. Carpentier, with a proposition in writing, concerning a matter which continued for several years thereafter to furnish an apparently exhaustless supply of material for county legislation, and which, like Banquo's ghost, would not *down* at any mortal's bidding. This morsel of ancient history we here reproduce in its entirety:—

COUNTY OF ALAMEDA, June 6, 1853.

I hereby propose to complete the bridge across the creek known as San Antonio Slough, opposite the residence of Messrs. Patton, on the following terms: The bridge shall be commenced forthwith and finished with expedition. I will charge and receive to my own use tolls at the following rates, to-wit: Each footman, twelve cents; horses, cattle, etc., each twenty-five cents; vehicle drawn by one or two animals, fifty cents, and other things in like proportion. Said bridge shall be *free from taxation or assessment*. I will surrender said bridge to the county, to be made a free bridge and to be used only as a bridge, at any time within twelve months, on their payment to me of the original cost of its construction, together with interest thereon at three per cent. per month. It shall be finished from bank to bank. This proposition to be binding on its acceptance by the Court of Sessions of Contra Costa County. [Signed]

H. W. CARPENTIER.

This is the first appearance of the Twelfth-street bridge, but by no means the last.

The Court after due consideration ordered that the proposition be accepted, carefully guarding the county, however, from any obligation to redeem the same, or in anywise to become pecuniarily responsible in the matter. The Court then proceeded to levy a poll-tax for highway purposes of two days' work on all able-bodied men between the ages of eighteen and forty-five years, for the year 1853, after which catholic and comprehensive legislation, it proceeded to bring its first day's labor to a close by adjournment "till to-morrow morning at eight o'clock." The record of this adjourned meeting is dated *May 7, 1853*, a month prior to the first one. The only business transacted by the Court at this time was the fixing of allowances to officers of the late election at five dollars per day, and passing claims against the county, aggregating six hundred and twenty-three dollars and forty cents, divided as follows:—

D. S. Lord, for blank books and stationery.....	\$425.00
A. M. Church, services, obtaining books, stationery and trimming for desk, etc.....	49.00
Homer & Stevens, lumber for county desk	26.00
Perham & Weaver, work on county desk	81.00
Justices Long and Lacey, two days' services as Associate Justices @ \$6.00 per day each....	24.00
Justices Marier, Harris, and McMurtry, one day's services so as to elect Associate Justices @ \$6.00 per day each.....	18.00

At the next meeting the election precincts in the different townships were established, after which the Court resolved itself into a Board of Equalization and proceeded to levy a tax upon all real and personal property in the county, of sixty cents upon each one hundred dollars, "instead of thirty cents heretofore ordered by this Board at a special term held at this place on the 11th day of May, 1853." As the Court was organized on June 6th, this levy refers to the proceedings of Contra Costa County. From this date forward the time of the Court was chiefly occupied with road matters, with occasional variations, as for instance, on August 2d, George Kerr & Co., presented a bill for thirty dollars for printing one hundred hand-bills, which the Court, after due consideration, cut down to fifteen dollars, therein setting an example of careful scrutiny and rigid economy in public affairs far more worthy of imitation than modern legislative bodies generally seem to consider it. In this connection it may be truly said that this county was unusually fortunate in the selection of its first officers. They were very careful, accurate, methodical men, leaving for the most part clear and intelligible record of their public work behind them, and if further evidence be required of this, it is to be found in the fact that the only two survivors of the first elected officers of Alameda County are still occupying elective positions of honor and trust among the descendants of those whose excellent judgment first called upon them for public service. The well-worn proverb, "As the twig is bent the tree's inclined," receives ample confirmation both in the legislative and executive history of this county, for, with rare exceptions, the confidence reposed in those selected for office has never been violated. It is but just and proper that the full measure of praise should be meted out to the faithful public officer. The difficulties that beset his path are no more understood by the people at large than are the duties devolving upon him by statute; he is required to interpret as well as to execute the law, and, upon his decision important private as well as public interests oftentimes depend. When attention is

called to these facts and well-earned praise is bestowed upon him, it is too often met with the contemptuous and contemptible reply that "anybody can do as well." This same *anybody* is occasionally tried and found wanting, and then what a howl goes up from the virtuous people! The individual is taken for the class, denunciation is poured forth with unstinting measure, and the honest public official hangs his head in shame for his race, feeling that in retiring from his trust he will carry within himself the only reward of a well-administered official career—a mind conscious of right. Honest officials outnumber dishonest ones a thousand-fold, popular clamor to the contrary notwithstanding, and the time has come when we should understand this, and though late in the day, yet render equal and exact justice to all—to the good as well as to the bad.

On September 9th an election was held in the county, at which the following officers were chosen for one year: Asa Walker, S. P. Hopkins, H. M. Randall, B. F. Ferris, A. Marshall, William Fleming, Calvin Rogers, and S. H. Robinson, Justices of the Peace; A. B. Atwell, D. N. Van Dyke, William H. Walker, Constables. The Court of Sessions makes no record of this election, either by proclamation or by canvass of returns. In October following, these Justices convened and elected A. Marshall and S. H. Robinson from among their number as Associate Justices, while, the most noteworthy event that occurred thereafter was the presentation of a claim for seven thousand two hundred and four dollars, seventy-three cents, against Alameda by the county of Santa Clara.

By a reference to section eleven of the Organic Act, it will be seen that two Commissioners were to be appointed from each of the counties of Santa Clara and Contra Costa to meet like Commissioners of Alameda County who should determine and fix the amount of indebtedness due to the two former by the latter. The report of this Commission is preserved and shows that on July 25, 1853, the Board of Supervisors of Santa Clara County appointed H. C. Melone and John Yontz as their members. Mr. Melone was County Clerk and certifies to the genuineness of his own appointment. The Court of Sessions of Contra Costa County, on June 8th of the same year appointed J. F. Williams and Thomas A. Brown their members, the latter gentleman being the County Clerk of his county at the time. These four gentlemen met in Alameda County, and the record of their proceedings, bearing date August 15, 1853, sets forth that they find the sum of seven thousand two hundred and four dollars and seventy-three cents due from Alameda to Santa Clara, and the sum of six thousand two hundred and forty-seven dollars and sixty-four cents due to Contra Costa from the same source. The claim of Santa Clara County was therefore presented to the Court of Sessions as above stated, at the September Term thereof, and was held under advisement until the December Term following, at which time the claim was rejected on the ground that the award was made "wholly without authority of law;" the Court further "do not in any way admit the same to be correct as to amount, or that anything whatever is due from Alameda to Santa Clara County."

It is difficult to understand how the Honorable Court arrived at this conclusion, with the recently enacted statute before them. They might have disputed the claim as regards its equitableness, but the mandatory character of the law covering the case seems to dispel all doubt as to its legality.

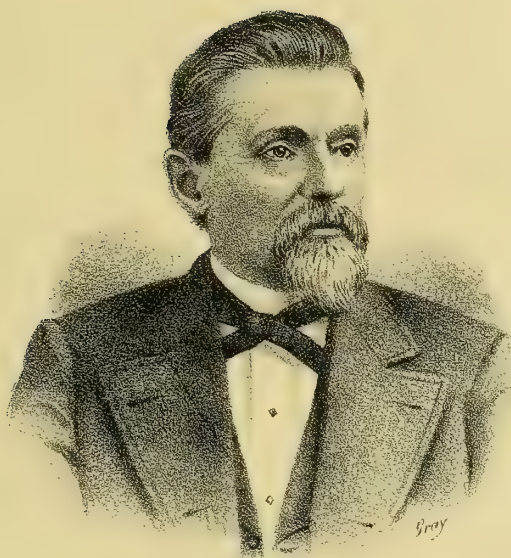
The matter again became the subject of State legislation and on May 1, 1854, an Act was passed fixing the indebtedness at six thousand four hundred and seventy-four dollars, to be paid in two equal sums on or before January 1, 1855 and 1856, and ordering the Court of Sessions to make the necessary tax levies to meet the obligations. Accordingly, the first levy was made August 24, 1854; the first payment on account was made March 3, 1855, of two thousand one hundred dollars, and they were continued at irregular intervals until October 1, 1857, at which time the account showed that six thousand two hundred and thirty-five dollars had been paid, leaving a balance on hand of seventy-eight dollars.

In December, 1853, the county was again divided into townships, the number being reduced to five, and that of Contra Costa being absorbed in Oakland, while the boundaries of the others were materially altered.

1854.—The year 1854 brought to Alameda County, among its first offerings, the claim of Contra Costa, which was certified to at the same time as that of Santa Clara County. The Court of Sessions made the same disposition of this claim that it did of the other; the like resort to the Legislature was had, and that body, under date May 15, 1855, enacted that B. C. Whitman of Solano County be appointed a Commissioner to adjust the indebtedness, and that he should enter on the discharge of his duties "as soon as a suit now pending in the District Court in favor of T. C. Gilman and against the county of Contra Costa shall be finally terminated," at a time appointed by himself, at the town of Martinez, and in conjunction with the County Clerks of Alameda and Contra Costa Counties.

This matter of the county's indebtedness dragged its slow length along—let us follow it. On April 26, 1862, B. C. Whitman and Charles Fish were appointed to ascertain and award the amount of indebtedness of Alameda County to Contra Costa. In their report, presented in the form of a communication addressed jointly to the Supervisorial Boards of the two counties interested, the following decision is found: "They (the Commissioners) find that the county of Contra Costa has paid on account of obligations existing at the time of the organization of the county of Alameda the sum of thirty-six thousand seven hundred and fifty-five dollars, fifteen cents. That the said county of Alameda was justly and equitably bound for a portion thereof, amounting to fifteen thousand five hundred and eighteen dollars, seventy-eight cents. That under and by virtue of an award heretofore made on June 4, 1858, said county of Alameda has paid to the county of Contra Costa the sum of three thousand nine hundred and forty-five dollars, sixty-six cents; leaving unpaid a balance of eleven thousand five hundred and seventy-four dollars, twelve cents, equitably due from the county of Alameda to the county of Contra Costa, arising out of obligations existing against the county of Contra Costa, at the time of the organization of the said county of Alameda. Therefore we do hereby award said sum of eleven thousand five hundred and seventy-four dollars, twelve cents, as equitably due under and by virtue of the provisions of the Act aforesaid from the county of Alameda to the county of Contra Costa, and, by virtue of the powers conferred upon us, we declare and certify the same to your honorable bodies, as by said Act directed and charged."

In an appeal from the Fourth Judicial District Court to the Supreme Court, Justice Lorenzo Sawyer, in the case "The People *ex rel.* The County of Contra Costa



Chas. Haerry

versus The Board of Supervisors of the County of Alameda" (Cal. Rep. pp. 646-652), rendered the following decision in this matter:—

"In 1852, one Gilman built a bridge for the county of Contra Costa, upon a contract for about eight thousand dollars, to bear interest at the rate of five per cent. per month till paid. The bridge was not completed till some time in 1853. On the 23d of March, 1853, the county of Alameda was created by the Legislature out of territory taken from the counties of Contra Costa and Santa Clara, and the said bridge fell within the new county of Alameda. The contract for building the bridge being with the county of Contra Costa, and the money being unpaid, Gilman sued that county for the amount due, and in 1856 recovered a judgment of upwards of twenty thousand dollars, with accruing interest and costs. In 1858, the Legislature passed an Act appointing Commissioners to adjust the amount to be paid by Alameda County to Contra Costa County, as her share of the debt that had accrued while a portion of Alameda County formed a part of the county of Contra Costa, but the Commissioners in their award were limited by the Act to the indebtedness which had accrued prior to the 23d of March, 1853, the date of the creation of the new county. At that date no interest on the bridge contract had accrued. The Commissioners awarded against Alameda County the sum of three thousand nine hundred and forty-four dollars and sixty-six cents, but, for reasons before stated, the award did not include any interest on the bridge contract. This award was afterwards, in 1860 and 1861, paid to the county of Contra Costa. On the 14th of March, 1860, the Legislature passed an Act empowering and requiring the Board of Supervisors of Contra Costa County to levy a special tax for the payment of the judgment, interests and costs recovered by Gilman in 1856 on the bridge contract, which was accordingly done and the judgment paid by the county of Contra Costa.

"In 1862, another Act was passed, reciting in its preamble the payment by Contra Costa County, in pursuance of said Act of 1860, of the said Gilman judgment of 'thirty-one thousand dollars, some twenty-four thousand dollars of the amount being for interest * * * on an obligation contracted before the organization of Alameda County,' etc., and in the body of the Act appointing Commissioners 'to ascertain and award the amount of indebtedness, if any be found equitably due, from the county of Alameda to the county of Contra Costa on account of obligations existing at the time of the organization of the said county of Alameda.' The Commissioners are required, if any award be found against the county of Alameda, to certify the same to the Boards of Supervisors of the respective counties, and thereupon the Board of Supervisors of Alameda County are required, within a specified time, to levy a tax for the purpose, and pay the amount so awarded to the county of Contra Costa. Under this Act the Commissioners awarded in favor of Contra Costa County against the county of Alameda the sum of eleven thousand five hundred and seventy-four dollars and twelve cents, the sum being for a portion of the said interest paid by the county of Contra Costa on the said bridge contract, and the judgment thereon, and for nothing else. The award having been certified to the Board of Supervisors of Alameda County, and a demand that the tax for its payment be levied in pursuance of the Act having been made, and the said Board having refused to levy the same, an alternative mandamus was issued by the District Court

of the Fourth Judicial District against said Board in this case, which was afterwards by the judgment of the Court, made peremptory. From the judgment this appeal is taken.

"The appellants make two points: Firstly, the county of Contra Costa has no power to act as a relator, for the county is not a party beneficially interested. Secondly, the Legislature has trespassed upon the judicial power.

"There is nothing in the first point. The judgment paid was against the county of Contra Costa, and the money awarded is to go into the treasury of the county. It makes no difference that the law provides that 'it shall be apportioned in the treasury of the county of Contra Costa,' for certain specified purposes, viz., for the construction of certain roads, and to the 'County School Fund.' The county has charge of the funds, and is the trustee appointed by the law to apply it to the public uses specified, all of which are appropriate county charges. The county is, we think, 'a party beneficially interested,' within the meaning of the Practice Act.

"It is objected that in appointing Commissioners to ascertain and award the amount to be paid by Alameda County to Contra Costa County, the Legislature conferred upon them judicial functions, and thereby usurped powers that, under the Constitution, belong exclusively to the judicial department of the Government. It will be observed that the money claimed was not a legal demand by one county against another, growing out of contracts or transactions between themselves, which could be litigated between them and enforced by suit in a court of justice. The claim as between the counties arose solely out of legislative action in creating the new county of Alameda in part out of the county of Contra Costa, and wholly independent of the action of either county as between themselves. The Legislature is charged by the Constitution with the power and duty of establishing a system of county and town governments. (Article IX., Section 4.) It may divide counties and create new ones, or change the boundaries, as in its wisdom it may deem the public interest to require. And in creating new counties out of territory taken from counties already organized, it is but just that it should apportion the debts already accrued between the new and old counties in the ratio of the territory, population, taxable property and benefits conferred on the respective counties or portions of counties affected by the change. It possesses the taxing power, and the power to determine for what objects of public interest, and to what extent, the taxing power shall be exercised. As incident to these powers, it is authorized to apportion the taxes either upon the whole State, or upon particular districts, according as the object is one of general or local interest or benefit. It may say what amount shall be paid by one district, and what amount by another.

"In the case of *Town of Guilford vs. Supervisors of Chenango County* (3 Ker., 149), the Court of Appeals of New York say: 'The Legislature is not confined in its appropriation of the public moneys, or of the sums to be raised by taxation in favor of individuals, to cases in which a legal demand exists against the State. It can thus recognize claims founded in equity and justice, in the largest sense of these terms, or in gratitude or charity. Independently of express constitutional restrictions, it can make appropriations of money whenever the public well-being requires, or will be promoted by it; and it is the judge of what is for the public good. It can,

moreover, under the power to levy taxes, apportion the public burdens among all the tax-paying citizens of the State, or among those of a particular section or political division.

"This was in a case where certain parties had sued the town of Guilford for expenses incurred and paid by them in conducting, by direction of the town, certain litigation on the part of the town, but in said suit failed to recover against the town the amount so expended, because the town was not legally liable. Subsequently the Legislature authorized the town, upon the vote of the majority of the inhabitants, to raise the sum expended and equitably due from the town, by tax, and to pay the demand; but directing that the decision of the people should be final. The inhabitants voted the proposition down. The Legislature then passed a law authorizing Commissioners to determine and award the amount expended by the parties in the litigation, and directing the Supervisors of the county to levy a tax upon the town of Guilford and pay the amount so awarded. The town resisted the tax on the ground that it was unconstitutional, and among other points it was insisted that the Legislature had usurped judicial functions. But the law was upheld. The Court further say in the case: 'The statute-book is full, perhaps too full, of laws awarding damages and compensation of various kinds to be paid by the public to individuals who had failed to obtain what they considered equitably due to them by the decision of administrative officers acting under the provisions of former laws. The courts have no power to supervise or review the doings of the Legislature in such cases.'

"The Legislature, then, may, in its discretion, determine the objects for which, and the extent to which, the taxing power shall be exercised, and may apportion the taxes to be levied. In ascertaining the amount that ought equitably to be charged upon the different districts, as a guide to the exercise of this discretion, it may pursue its own methods, and employ its own instruments.

"In this case the county of Contra Costa, in making a necessary public improvement—a bridge—incurred an obligation, which was chargeable upon the entire county. After the obligation was incurred, but before the entire amount subsequently paid had become due, the county was divided and a large portion of the territory, population, and taxable property liable for the demand was, by the Legislature, cut off from the county of Contra Costa, and erected into the new county of Alameda—the new county including the bridge for the erection of which the obligation was incurred. Equity, at least, required that the Legislature, in making the division of the territory, should then, or at some subsequent time, ascertain, in some manner, the portion of the debt then accrued or to accrue on existing obligations, that should be equitably apportioned to each of the counties. The Legislature chose to make the apportionment through Commissioners appointed by itself. The amount chargeable upon the whole territory originally liable had, at the time of the passage of the law, been fixed by the judgment of a competent Court, and it was only necessary to make the apportionment. There are two apportionments necessary: firstly, between the two counties, and secondly, each county is to apportion its share among the taxable inhabitants of the county. The latter apportionment as much involves the exercise of judicial functions as the former. Both require an examination of facts, and the exercise of judgment. Both depend upon the same principles, and stand upon the same

footing. But neither is in the nature of a suit litigated between contending parties. The entire amount to be paid is fixed by judgment. The Legislature provides the mode and designates the officers who shall make both apportionments; and we think the power is peculiarly within the province of the legislative department of the Government. It makes no difference whether each county is directed to levy its proportion of the debt and pay it directly to Gilman, or whether the whole is first raised by the county of Contra Costa and paid to Gilman, and then the county of Alameda raises its portion and pays it to the county of Contra Costa. We think, therefore, the apportionment of the amount to be paid by the respective counties was not an encroachment upon the powers with which the judicial department is charged within the meaning of the Constitution. It is a power that has usually been exercised in other States, as well as heretofore in this State, by the political, and seldom, if ever, by the judicial department of the Government.

"Mr. Justice Shafter, having been of counsel in the case, did not participate in the decision."

On May 1, 1854, the Court of Sessions made the tax levy, there being directed to be collected a special tax of twenty-five cents on each one hundred dollars' worth of property, for the purpose of erecting county buildings. In August they established the first Salary Fund, four thousand five hundred dollars being set apart out of the county revenue as a Judicial Fund for the payment of the County Judge, District Attorney, and Associate Justices of the Peace, who formed the Court for one year. In the month of September the township of Alameda was created by these functionaries, and its boundaries slightly changed at the next subsequent meeting. October 2d, John Travis and S. H. Robinson were elected Associate Justices, while, at the same time, Assessor Goucher resigned and was succeeded by Charles W. Breyfogle. About the same date Arunah Marshall was reappointed *Jueces del Campo* (Judge of the Plains). This was an office that had its origin under Spanish rule, and was considered of sufficient importance to be continued under the State Government; accordingly we find the office created under the Act approved October 2, 1854, and its functions defined. The *Jueces del Campo* were officers whose duties were confined to the cattle interests of the country; they attended the annual *rodéos*, and settled all disputes arising as to ownership, brands, etc. The Act referred to conferred substantially the same powers upon the office as continued.

1855.—The time of the Court of Sessions in its supervisory capacity was now rapidly drawing to a close: its last meeting as such bears date January 22, 1855, and its last record, like its first, was in the interest of the county roads.

On March 9, 1855, the Act creating a Board of Supervisors for Alameda County was approved. It provided that the first Board should be elected on the third Monday of March, and annually thereafter. This election was duly held March 19th, and on April 2d the Board convened at the Court House in San Leandro for the transaction of business. There were then present: Henry C. Smith, of Washington Township; A. C. Austin, of Clinton Township; James W. Dougherty, of Murray Township; J. L. Sanford, of Oakland Township; James Millington, of Alameda Township; and S. D. Taylor, of Eden Township. Mr. Dougherty having been elected

Chairman of the Board, and the labors of their office commenced, their first duty was the appointment of a committee to examine claims against the county, and the fixing of the yearly tax levy. At the same meeting the County Treasurer was empowered to expend two hundred dollars for a safe.

The necessity for more commodious accommodation for the public offices had been for some considerable time pressingly felt, the rented apartments occupied, although they had hitherto served their purpose, having become inadequate to the increasing wants of the community. From the previous years' tax collections there had accumulated a fund to which an addition was made by a provision in the levy for the current year; a committee was accordingly appointed by the Board of Supervisors of Alameda County, "to contract for the erecting of a frame building thirty by sixty feet and twelve feet high to the eaves, not to exceed in cost twelve hundred dollars, to be erected in San Leandro." Sealed proposals were invited therefor, to be opened on the fifteenth day of May, which is the last record in the matter until July 10th following, when the Building Committee report the structure completed at the rather startlingly extravagant sum of twelve hundred and sixty-five dollars.

The history of the seat of justice of Alameda County is somewhat interesting, and is worthy of extended notice. At first, as we have seen, it was located at Alvarado, the then center of the county's population. So soon as it had been determined to erect county buildings, in the year 1854, the various towns, villages, and hamlets with wonderful unanimity came forward and pleadingly urged their several claims for the distinction which popular sentiment had already decided could no longer be accorded to Alvarado. Petitions were actively circulated and a sufficient number of signatures obtained to justify the calling of an election to determine the future county seat. The matter came to a vote on December 5, 1854, and the canvass showed a total of one thousand eight hundred and eighty-two votes cast, which were divided among seven locations, as follows: Alameda, 232; Alvarado, 614; San Leandro, 782; Oakland, 18; San Lorenzo, 220; Haywards Town, 4; Haywards, 11;*

No town having received a majority of all the votes cast, another election was ordered to be held on December 30th. This time public interest centered upon two places only—Alvarado and San Leandro, the former receiving ten hundred and sixty-seven, and the latter thirteen hundred and one votes, and thus securing the prize. It will be remarked that the aggregate vote of the last-mentioned election, viz., two thousand three hundred and sixty-eight, exceeded that of the first-named by over five hundred ballots, a fact which must not be taken as an indication either of increased interest in the matter, or of sudden growth in population. It was accomplished by the most bare-faced fraud, in support of which statement we have the evidence of those yet living, who know whereof they speak. An election in that day was a "free to all:" men were imported from San Francisco by the boat-load; no conditions were imposed at the polls that were not readily complied with by such characters, and as a consequence numerical results were obtained that were not equaled years afterwards, under more salutary regulations of the election franchise.

The newly-acquired honors of San Leandro, however, were not destined to remain long uncontested.

*It is probable that the last two mean one and the same place.

The county buildings, as before stated, were finished in July, 1855; On August 9th following, Supervisor Dougherty was delegated "to represent the Board of Supervisors of this county at the hearing of an application for peremptory mandamus before the Hon. C. P. Hester, Judge of the Third Judicial District, to be held at San José on the 10th instant, and to adopt such measures as may be necessary and proper to protect the interests of this county in the matter." The mandate was presumably issued to determine the legal right of the County Judge to order the election, and to determine therefrom the location of the county seat. The question was settled at once, and in a manner not favorable to the claims of San Leandro, for the next meeting of the Board of Supervisors is recorded on the 16th August "at the Court-room in Alvarado." This arrangement, however, was not at all satisfactory to those who were managing the San Leandro scheme, and resort was next had to the Legislature, and on February 8, 1856, a bill was approved which once more gave them the coveted prize. Justice again betook herself to wheels, and on the 10th of March following we find her proclaimed once more from the Court House at San Leandro, destined at least to enjoy the quiet happiness of a fixed and permanent abode for a number of years to come, and here we will take advantage of her state of quiescence to resume the thread of current history so abruptly broken off.

At the meeting of the Board of Supervisors on July 10, 1855, a resolution was adopted authorizing the Auditor hereafter to draw their warrants for mileage both *going to* and *returning from* the county seat, a measure authorized by section eighteen of the Act approved March 20, 1855, though not strictly applicable to this Board, which was created by a special Act. Shortly after this another peculiar order appears, as follows: "That the total amount of the county's proportion of the assessed (*sic*) taxes for the year 1854, when collected, be applied to the County Common School Fund." At the same time a property tax of two cents on each one hundred dollars was levied for road purposes, and a road poll tax of three dollars was made leviable on all adult males between the ages of twenty-one and fifty years. At this session the District Attorney, at his own instance, was instructed to bring suit "upon the official bond of Jotham S. Marston, late Treasurer of said county, to recover a judgment for any defalcation as such Treasurer."

As soon as the county officials had betaken themselves to Alvarado in August, 1855, a question very properly arose touching the legality of all county business transacted at San Leandro during its occupancy as the shire town, from April 2d to August 15, 1855. The Board of Supervisors, therefore, to make their record unimpeachable, passed a curative resolution affirming and re-enacting all resolutions and enactments passed by them during that time. On September 17th the returns of the general election held on the 5th of that month were canvassed, and the statement ordered on file.

The propriety of making election returns a matter of record was not observed until the year 1859; as a consequence the matter of accurately determining official incumbency and succession up to that time is beset with more difficulties than would at first appear. Documentary evidence is not always at hand; tradition is not always reliable, and the final resort is the examination of events with which the official record sought may be directly or indirectly connected. Great care should be bestowed

upon the preservation of official history in a county; records can scarcely be made too full and minute; matters that appear of minor importance at the time may assume serious importance in the future. The filing away of a paper usually results in its loss, and this may lead to extensive and expensive litigation; the time spent in recording it may prove to be time saved a thousand-fold.

October 1, 1855, the Supervisors-elect assembled and proceeded to organize, there being present: Henry C. Smith of Washington, Thomas Eager of Clinton, Henry Haile of Alameda, George Fay of Eden, F. W. Lucas of Murray, S. D. Taylor of Oakland—the last holding over by virtue of a tie vote, and Mr. Smith being chosen Chairman. This Board evidently understood that county matters had heretofore been handled with a rather loose rein, therefore they went to work in good earnest to bring them up to a more distinct business standard. The official bonds of all officers-elect were carefully examined, all county and township officers were required to make report at once; a committee was appointed to examine and report upon the condition of the Treasurer's books; that official himself was required to file an additional bond of thirty thousand dollars, within ten days (which he did); the acting Coroner, S. H. Crocker, having failed to file an additional bond, was ousted; and matters generally were "brought up with a round turn." More attention was also paid to school affairs than had hitherto been manifested; the pay of School Trustees was fixed at three dollars *per diem*, while on duty. Washington Township was divided into three school districts, and another one formed in each of the townships of Oakland and Eden, and one from parts of Eden and Clinton. A special election was also ordered for Supervisor in Oakland Township, to be held November 24, 1855, made necessary by the tie vote at the general election. No further record appears of this, but as Mr. Taylor continues to occupy the position on the archives, he was doubtless re-elected at that time.

1856.—Up to January, 1856, county officers had not responded promptly to the order of the Board regarding their reports, therefore, on the 8th of that month they were notified that unless their quarterly reports were forthcoming as required by law their duty in this regard would be legally enforced. This edict had the desired effect and thenceforth these matters were more promptly attended to than ever before. At this time, also, it was determined that the Special Act creating a Board of Supervisors should be repealed and the county be brought under the General Act of March 3, 1855, for the evident reason that under this latter bill the scope of the Board was more extended and its duties and powers more general. Accordingly, April 3, 1856, an Act was approved repealing that already mentioned, and subjecting the county to the General Act above referred to, which provides that certain counties, Alameda among the number, should be allowed five Supervisors instead of three, as provided for the counties at large.

On March 10, 1856, the county seat being again at San Leandro, a resolution introduced by Supervisor Eager was adopted "that the places called San Antonio and Clinton, and the township heretofore known and called Clinton be, and they are hereby consolidated, and that the whole territory embraced within the original limits of said township of Clinton shall hereafter be known as and called Brooklyn." This matter had been acted upon at a previous meeting in March but the resolution then

adopted did not correctly state, nor fully cover the case as petitioned for by the citizens of the territory referred to. A committee was also appointed to ascertain the probable cost of a brick jail, an institution that, up to this time, the county had managed to get along without, the worst cases of criminals having been confined in the San Francisco prison, and the others cared for as best could be done. In the month of May more school districts were formed; the sum of five hundred and sixteen dollars was appropriated to pay R. J. Horner for a bridge built by him above Alvarado across the Alameda Creek; and a resolution was adopted looking to the building of a Court House and jail, a committee being appointed to visit the newly-erected buildings of this nature at Martinez, also one to ascertain upon what terms Carpentier's Bridge (Twelfth Street Bridge, Oakland) could be purchased. The pay of the Supervisors was at that time fixed at four dollars per day; the survey of the county and township boundary lines, and the construction of maps proposed; and to close the month's proceedings the Clerk was directed to procure from the Secretary of State a copy of the laws affecting Boards of Supervisors in general, and that of Alameda County in particular, our Honorable Board being evidently determined that all of their acts should stand the test of legal scrutiny.

In June the Building Committee presented a plan for county buildings and were instructed to ascertain the probable cost thereof; the Treasurer was instructed to procure the county's portion of the State Indigent Sick Fund—now due for two quarters; while a new township called Jefferson was created out of portions of Eden and Washington, the order creating it being, however, rescinded and vacated at the next meeting. In July sealed proposals were invited for building a Court House and jail, to be opened August 5th, and the annual tax levy was made. On August 5, 1856, nine bids for erecting county buildings were opened and found to range from twenty-six thousand to thirty-nine thousand nine hundred and fifty dollars; on the 8th of that month the contract was awarded to C. B. Tool at thirty-two thousand four hundred dollars which was subsequently reduced to thirty thousand dollars by modifications in the plans. On the 18th of August it was decided to employ a suitable person to *tighten the screws* of San Leandro Bridge. This was undoubtedly meant to be construed literally although previous as well as subsequent action on the subject might warrant a figurative interpretation of the order. The County Surveyor at the same meeting was authorized to complete two maps of the county for which he should receive twenty-six hundred dollars when finished and approved.

In the month of October the county was divided into five Supervisorial Districts in accordance with the general law, which were described and designated as follows: Township of Oakland, District Number One; Townships of Brooklyn and Alameda, District Number Two; Township of Eden, District Number Three; Township of Washington, District Number Four; Township of Murray, District Number Five.

At this meeting the office of Public Administrator was declared vacant, the incumbent, Edwin Barnes, having failed to file the additional bond required of him; while on the same date Mr. Tool received his first installment on account of his contract of fifteen hundred dollars, and Mr. Fairfield is allowed fifty dollars for working the Court House plans.

On November 4th a general election was held throughout the State for Presiden-



Richard Barron

tial electors, Members of Congress, State, County, and Township officers, the result of which in Alameda County will be found in the tabulated statement published herein. At this session of the Board, Noble Hamilton and Edward R. Carpentier were each allowed one hundred and twenty-five dollars for legal services in the case of *The People, ex rel. vs. C. P. Hester* which grew out of the assessment made during the month of August for a County Building Fund. Those opposed to it made application to Hon. C. P. Hester, District Judge, for a writ of *certiorari* to review the said proceedings of the Supervisors. This the Judge refused to grant, whereupon application was made to the Supreme Court for a writ of *mandamus* directed to the said Judge compelling him to issue a writ as asked. The Court sustained the Judge in his decision. On the 25th Hiram Keeney was appointed to superintend the building of the Court House; and with a vote of thanks to the Chairman the Board of Supervisors adjourned *sine die*. The 1st of December following found the newly-elected Board assembled and ready for business. Mr. Dougherty was elected Chairman, the other members being, Thomas Eager, J. H. Mason, William Hayward, and J. A. Hobart. After the appointment of the usual standing committees, the remainder of the meeting—the only one in this month—was devoted to road and bridge matters.

1857.—In January, 1857, and for some time following, the new Court House appeared to demand considerable attention. Doubts having been expressed as to the manner in which the work was being done it was ordered that a competent brick-mason be employed to examine it carefully. A committee was also appointed for the same purpose. No fault appears to have been found, however, and the work progressed to its completion, July 8th, on which day the contractor was paid in full including five hundred and eighty dollars for extra work, his receipt for thirty thousand five hundred and eighty dollars being spread upon the records, while a committee received the key and delivered it to the Chairman of the Board. March 2d, Jotham S. Marston, the first County Treasurer, petitioned to be released from all liability on account of money stolen from the treasury during his term of office. The petition was refused.

The history of this affair as gathered from those who were residents of the county seat at the time is as follows: Sometime during the year 1854 the safe containing the county funds at Alvarado was robbed of about twelve thousand dollars. Hon. A. W. Crane, then County Judge, was in San Francisco at the time and being apprized of the robbery immediately crossed the bay and took the stage for Alvarado. Upon arriving he at once proceeded to examine the locality of the occurrence closely. The rear of the building in which the safe was kept projected over the shelving bank of Alameda Creek affording standing room underneath. Here the Judge, while poking around in the loose sand with his cane, discovered under the part of the building on the bank, an old boot which he hooked on to and noticing that it appeared to be very heavy, but still not attaching much importance to that fact, he drew it out, and emptied it of about four thousand dollars in gold. Other parties then provided long poles with hooks attached and succeeded in reducing the loss to about seven thousand dollars. Suspicion rested strongly upon certain parties but no evidence could be obtained that would warrant their arrest. Mr. Marston appealed to the Legislature—his only resort for relief—and that body in an Act approved Feb-

ruary 3, 1857, granted it to him so far as the State's loss was concerned, and authorized and permitted the Board of Supervisors to give him credit and acquittance for the sum of seven thousand one hundred and fifty-six dollars and forty-four cents, the total shortage. Mr. Marston's petition, as above stated, was refused; but in August following, upon payment of three thousand four hundred and forty-one dollars and forty cents, he and his bondsmen were released from all responsibility in the matter and legal proceedings against them stopped.

At this time two irregularities in the acts of former Boards were discovered and it was ordered that all Auditor's warrants drawn previous to July 1, 1856, be destroyed, and a committee be appointed to examine and check up, to same date all allowances made by previous Boards. Some doubt existed at this period also as to whether sufficient power was conferred upon County Supervisors by the General Act of 1855 to justify a tax levy for erecting county buildings, and the delegation from Alameda County was instructed to put forth every effort to have the question settled by legislative enactment. This resulted in a Special Act, approved April 18, 1857, authorizing a tax levy of a quarter of one per cent. for the building of a Court House and jail in Alameda County. Matters of ordinary interest occupied the Board during most of this year. On August 3d the annual tax levy was proclaimed; on the 8th it was ordered that possession of the new Court House be taken at once by the county officers, the same having been made ready for occupancy. August 10th Surveyor Higley presented the county maps contracted for in 1856, and received his stipulated price therefor, viz.: two thousand six hundred dollars; while, at the same time the plan of Mr. Hobart for furnishing the Court House was adopted, the contract for which was awarded to Freeman & Smith at eleven hundred dollars. The tax levies for the years 1854-55-56 having been declared null and void were ordered stricken from the rolls so far as the State's portion was concerned and the Collector ordered to receive fifty per cent. of the county portion in full of all demands. Then, after having canvassed the returns of the late election, and attended to the inevitable road matter the Board adjourned *sine die*.

On October 5, 1857, the following-named gentlemen assembled at the county seat, to whom were delegated the care of the county's interest for the following year: James W. Dougherty, F. K. Shattuck, James B. Larue, J. R. Mason, and C. P. Wray, the first-named serving as Chairman. At this meeting two luckless Justices of the Peace, John R. Wales, of Washington, and B. F. Ferris, whose claims had been ignored by the Returning Board, petitioned for their rights, and, upon due consideration, the former was granted a certificate, but his fellow-sufferer was forced to wait for his position until the next meeting.

1858.—In February the contract with the Alameda County *Gazette* for printing the proceedings of the Board was annulled; the salary of the School Superintendent was fixed at four hundred dollars, payable quarterly, scarcely enough to pay his livery bill if he discharged his duties as prescribed; on the same date the monthly pay of the Treasurer was increased seventy-five dollars. The Act approved April 28, 1857, regulating fees in office of certain counties—Alameda among the number—received the hearty endorsement of the Board; on February 2d the annual tax levy was made;

this levy is remarkable in that the authoritative Act for each item in the count is referred to. On the day following, the Legislature, by Act approved February 2, 1858, fixed the maximum of State tax at sixty cents; the change above referred to in this connection was made in March. The 26th of February should be known as a red-letter day in the calendar of Alameda County, for upon that day the Honorable Board of Supervisors attempted to reduce its own *per diem* allowance from four to three dollars, and failed. Mr. Wray was the image smasher who precipitated this unwholesome and unparalleled piece of legislation upon his Honorable *confrères*, and that, too, without any previous warning. The party of "old ideas" was equal to the emergency, however, and promptly squelched this bit of audacity by a tie vote, the rash author of the resolution and his coadjutor, J. B. Larue, being met by Messrs. Mason and Shattuck. How the Honorable Chairman, Mr. Dougherty, would have recorded himself had he been present those who know best can say; we only give the facts as they appear on record, for the benefit of any who may hereafter attempt such a rash innovation upon established precedents.

In April we find that H. M. Vesey, *Clerk*, issued to H. M. Vesey, *Auditor*, three thousand blank county licenses, under Act of April 17, 1858, which is noteworthy only as one of the many absurdities that grew out of the combination of these two offices, another one of which is that the County Clerk files his official bond with the Auditor, and that officer his with the County Clerk, both being the same party.

At the first meeting in June, 1858, the matter of the Contra Costa County debt came up for action. In April previous the Legislature approved a bill appointing B. C. Whitman, of Solano County, John H. Livingston, of Contra Costa County, and J. W. Dougherty, of Alameda County, a committee to adjust and certify the amount of the debt; the same Act also fixed the time of paying the claim, viz.: March 1, 1859, and 1860, one-half at each date. The amount found to be due was three thousand nine hundred and forty-four dollars and sixty-six cents, and a special tax of five cents was levied to meet the first payment. In the month of August the Santa Clara indebtedness was finally settled by an order of the Board instructing the Auditor to issue a warrant for eight hundred and eighty-two dollars and forty-seven cents, that being the amount found to be yet due thereon by Commissioners Melone and Dougherty. The general election for this year took place on September 21st, but there is no record of the returns ever having been canvassed. The Supervisors elected were F. K. Shattuck, for Oakland; Jonathan Mayhew, for Washington; J. A. Griffin, for Eden; S. M. Davis, for Alameda and Brooklyn; and Charles Duerr, for Murray. Mr. Shattuck was chosen Chairman, he being also the only member of the outgoing Board returned.

1859.—The new guardians of the public weal, following the proverb of the "new broom," made a clean sweep of all former county legislation on the subject of indigent sick, by repealing the same; they also examined the jail and reported alterations and improvements affecting its safety and sanitary condition; and gave the printing of their proceedings to the *Gazette* at six dollars per column. They also adopted an order of business and twelve rules for the government of their deliberations. Supervisor Mayhew at this time developed a talent for architecture,

and profited thereby to the extent of ten dollars, that same having been allowed him for executing plans and specifications for an out-house. On February 9th, one Miguel Marquis petitioned for the refunding to him of one hundred and fifty dollars paid by him under protest for violating the Sunday Law, the same having been declared unconstitutional. Here we see the "little cloud no bigger than a man's hand" that was destined to spread over our entire political sky in the years to come, and prove a veritable Pandora's box to opposing parties. On the 28th of the same month the annual tax levy was made. A grant for a wharf at Fleming's Point was made by the Board on the 17th of May under provisions of the Act of April 8, 1858, while at the same session no less a sum than *seven hundred dollars* was allowed to Dr. Cole for medical care of an indigent.

The care of sick and afflicted persons was a matter that had to be dealt with from the very organization of the State and legislative provisions relative thereto were enacted as rapidly as observation dictated the method or financial ability permitted their consummation. The first Legislature that assembled wisely foresaw that great suffering would necessarily follow unless legal provision should be made for the care and maintenance in sickness of the thousands who were flocking to the shores of the Pacific in their "sacred hunger for gold." The character of the early immigration to California differs widely from that to any other of the new States of the Union. The pioneer of Illinois brought with him his wife and children; his sturdy arm at once laid low the mighty oaks of the primeval forest; his cabin was soon built; and cheered and encouraged by the presence of those he held most dear he entered at once upon the enjoyments—rude though they were—of an established home.

Not so, however, with the "forty-niner" of California. He bade adieu to the loved ones at home and started forth upon his perilous journey over thousands of miles of trackless waste, beset with dangers on all sides, in pursuit of the land of gold. His journey accomplished, he at once sought the mines, and in rain and in sunshine, through night and day, "from morn till noon, from noon till dewy eve," he toiled with his pick and pan for the acquisition of the fortune that alas too often eluded his grasp. Finally, worn out by his excessive and unnatural toil, his physical vigor gave way and he lay upon a bed of sickness in his rude miner's hut. No loving wife nor mother to minister to his necessities and cheer and soothe him with her presence, but he was forced to combat with the Angel of Death single-handed, with only such help as could be expected from his associates, whose kindly hearts could not supply skill and proper care. As a consequence, his life was either cut off, or he rose from his bed ruined in fortune and so shattered in health as to become at once a burden and an object of charity.

To meet this state of affairs we find among the statutes of 1850 one establishing a Marine Hospital at San Francisco, to which the sick of that city could be admitted upon proper application. Further legislation in 1851 located State Hospitals at Sacramento and Stockton, and in the month of April following two thousand dollars *per annum* was allowed to the city of San Diego for the care of indigent sick arriving at that port. In May, 1853, a General Law was passed establishing a State "Indigent Sick Fund" providing means for its maintenance and prescribing the manner of its

distribution to the organized counties of the State. This law was amended and its scope enlarged by the Act approved April 11, 1855, which, among other matters, delegated the care of indigent sick to the Boards of Supervisors of the respective counties, giving them power to appoint physicians, to erect hospital buildings, to levy a tax and to draw from the State Hospital Fund the amount apportioned to their county quarterly.

Under this Act we find the first record of the county of Alameda in this matter, bearing date May 1, 1855, at which time the Board of Supervisors appointed Doctors D. C. Porter of Oakland, A. W. Powers of Eden, H. C. Sill of Washington, and William Wilworth of Clinton, County Physicians, who were allowed two dollars per visit and one dollar per mile traveling expenses, and in July following the first requisition was made for the amount of Hospital Fund due. The first bill allowed on this fund was to W. J. Wentworth for medical attendance, etc., on Frederick Campbell, one hundred and eighty-three dollars.

The Board of Physicians was continued, with various changes and one removed, until January 1, 1856, at which time they were all discharged, the Supervisors probably fearing that the bills resulting from their former order might prove a serious matter. Up to this time the indigent sick, though possessing a "name" in law, had no "local habitation." Their care was delegated to citizens, and it must have been a pleasure in those days to a *poor* sick person, if the comforts offered them were at all in proportion to the magnitude of the bills therefor that were audited and paid. The matter continued in this condition until the following August, when it was decided to procure a suitable place and means of providing for the indigent sick; accordingly a contract was made with Orrin Hamlin to that end, at the *per capita* allowance of twelve dollars a week. This arrangement continued but a short time, and on April 4, 1857, an order appears abolishing the County Hospital, from date, and again committing to the care of the Supervisors the sick of their respective districts. This was retrograde legislation, and merely serves to show that, in the face of what were more important matters, this very momentous one had not had bestowed upon it the thought and study that it deserved. However, a silent yet impressive influence was constantly being exerted in its favor, as bills poured in, and had to be disposed of; and in November, 1858, it was decided to ascertain at what expense the indigent sick could be cared for in hospital at San Francisco; also to advertise for sealed proposals for their care, and then to clear away all obstacles in the way of future legislation—all orders, rules, or resolutions appearing on the minutes of the Board of Supervisors relating to the care or attendance of indigent sick were repealed, and Supervisors were clothed with the authority of hospital stewards. This legislation seemed to affect the sanitary condition of the county unfavorably, as bills for medical attendance, nursing, etc., appeared in increased volume. As an instance, in June, 1859, the bill of Dr. Thomas Payne for attendance on indigent sick, five hundred dollars, was allowed, as was also that of Dr. Cole, mentioned above, for seven hundred dollars for *one man*. These bills were closely examined by the Finance Committee, and their payment recommended.

We can easily imagine the feeling of relief that was experienced when, in February, 1860, a proposition was received from St. Mary's Hospital, San Francisco,

offering to take charge of the indigent sick of the county, at a *per diem* charge of one dollar and twenty-five cents *per capita*. Without hesitation the offer was accepted, and presumably all who could be safely moved were at once transferred thither, and yet we find among allowances shortly after, one of one hundred and forty-six dollars and twenty-five cents to the hospital, and an aggregate to others for the same purpose of four hundred and eighty-eight dollars and thirty cents, from which it may be inferred that either the hospital was unable to attend to all the indigent sick in Alameda County or, that the private citizens found county nursing far too profitable a source of revenue to be tamely surrendered; preponderance of evidence is found to sustain the latter view, for, up to February 2, 1861, forty-five per cent of all allowances on account of Indigent Sick Fund were made to parties other than the hospital. This was observed, in all probability, by the Supervisors, for, on the day last named, it was decided to advertise for sealed proposals for the care of the indigent sick of the county.

Four bids were presented as follows: Thomas Green, M. D., for board, medical and other cares, one dollar and seventy-five cents per day; Joseph Ralph, for the like offices, one dollar and fifty cents per day; Henry Haile, twelve dollars per week; and Thomas Payne, two dollars per day. The records show that this last-named gentleman accompanies his bid with a letter of considerable length, in which he states, among other things, that should he be awarded the contract, he will do what he can to make them (the sick) comfortable, cost what it may, and adds, underscored and in quotations, "*Liberality is my forte*". He also adds a bit of financial history to the effect that county scrip has been as low as seventy-five cents on the dollar since his residence in the county.

In due time thereafter a contract, covering twelve months, was made with Dr. Henry Haile "to board, lodge, take care of and furnish all medicine and medical attendance necessary for the indigent sick at twelve dollars per week for each individual;" his first bill was audited in August following, at two hundred and twenty-one dollars and thirteen cents, and the contract with St. Mary's Hospital was also continued and claims allowed under it, amounting to three thousand seven hundred and fifty-two dollars and twenty-five cents up to May 5, 1862, at which date it was decided "that all patients remaining in said hospital from this county be discharged therefrom, from and after this date, and that all contracts express or implied heretofore or now existing with said hospital for the care of the indigent sick are hereby discontinued and ended from and after this date." At the same time the contract with Doctor Haile was renewed for one year from May 14, 1862, at ten dollars per week for each person; and was continued with him the following year at seven dollars and twenty-five cents *per capita*. In May, 1864, the period for making the annual contract, time was taken for consideration and Doctor Haile was instructed to continue under his last contract till further orders. The object of this delay is clearly to be seen. While everything had been working smoothly under the contract system, and the monthly reports of the committee appointed to supervise the matter were favorable, yet, the necessities of the case were not fully met. Either from lack of room in Doctor Haile's hospital, or from some other cause, numbers of sick were still cared for on the outside and the monthly bills paid on their account aggregated a large

per centage of the total disbursements of the fund. Added to this was the apparent fact that the contract system was a profitable business for at the last opening of bids the lowest one was less than one-half the rate of 1861. It was therefore thought best to establish a County Hospital, the management of which should be directly in the hands of the Board of Supervisors, and it was so decided in August, 1864. A Board of Managers was at once appointed, consisting of Supervisors Shattuck and Cummings and Doctor Edward Gibbons as Hospital Physician. A building was procured of Mrs. Lyon in the city of Oakland, at a monthly rental of thirty-five dollars and the new order of things was inaugurated at once, for we find on the 15th of the same month allowances to various parties for supplies for County Hospital, three hundred and fifty dollars, and on the 22d Doctor Haile was paid (presumably) in full under his contract, eight hundred and forty-five dollars and twelve cents.

The hospital Steward, H. T. Burr, filed his quarterly report to date on February 11, 1865, and regularly thereafter up to his dismissal in August following.

The first year under the hospital system proved conclusively the wisdom of the arrangement. The total expense, including rent, furniture, pay of *employés*, and two hundred and seventy-one dollars paid outside for care of a small-pox patient, being only, three thousand six hundred and nine dollars, six cents, which compared with the expenses of preceding years showed a very substantial retrenchment. No charge on account of medical attendance appears against the county during this year, and, on August 14th, a letter from Doctor Newcomb tendering his services in the medical department of the hospital gratuitously for one year was filed. The following year Doctor Van Wyck was Hospital Physician at fifty dollars per month, and Orrin Hamlin, Steward. In May, 1867, Doctor Pinkerton succeeded Dr. Van Wyck and continued in office to the end of the County Hospital period, December 12, 1868. Thus after a struggle of eleven years with this question the solution was finally reached and henceforward there were to be only temporary obstacles to ever come in the pathway—the way itself was clearly defined.

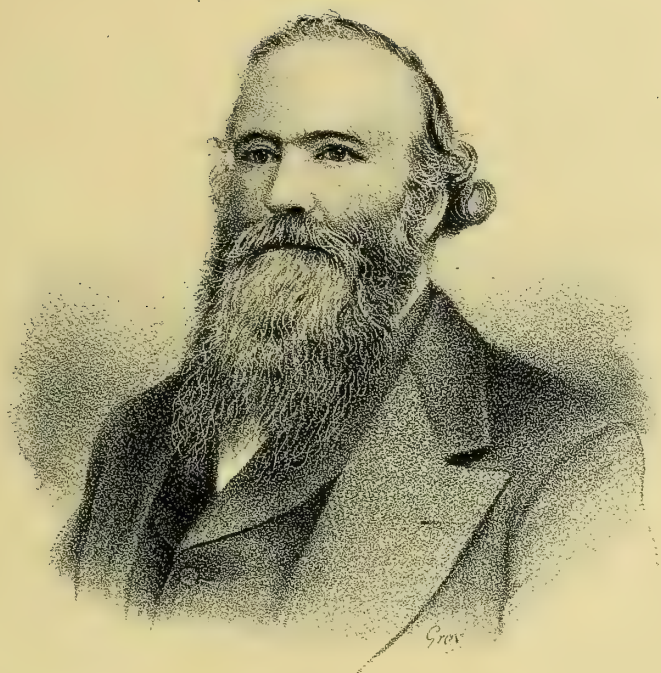
On April 18, 1860, the Legislature enacted a law to establish County Infirmaries and amendatory of an Act to provide for the Indigent Sick, etc., approved in 1855. Under the provisions of this Statute the Supervisors of every county in the State, with the exception of seventeen, which are designated by name in section twenty-six, are authorized to establish County Infirmaries whenever in their opinion such a measure will be advantageous; to purchase one hundred and sixty acres of land, or less, and erect thereon suitable buildings, the expense to be defrayed by a tax levy not to exceed one-quarter of one per cent. They were also to act as a Board of Directors and in general to exercise a supervisory care over this as over other county interests. Under the provisions of this Act it was decided, in December, 1868, to establish a County Infirmary. The matter had evidently been unofficially canvassed previous to this time, as the proposition of C. Puff to sell fifty acres of land in Eden Township to the county for this purpose was accepted, and a committee appointed to enter into a contract with him for purchase of the said tract. A County Infirmary tax of fifteen cents on each one hundred dollars' worth of property was levied, and in May, 1869, proposals were invited for erecting a suitable building thirty-six by fifty-six feet in dimensions, the cost not to exceed three thousand dollars. In

the meantime the committee had closed the contract for the land with Mr. Puff; in the month of June following the contract was let to Messrs. Taylor & Goodrich at two thousand nine hundred and twenty-five dollars; work was commenced at once, and on July 7th the contractors were allowed their first two payments, nineteen hundred and fifty dollars and six hundred and ninety-one dollars and forty cents, on account of extra work; on August 5th they were allowed one thousand three hundred and seventy-five dollars and fifty-six cents, and Robert Dalziel was granted four hundred and seventy-one dollars for work which, with a subsequent allowance of sixty-five dollars for painting, brought the cost of the building up to \$4,552 96
 To which add cost of land, 123 $\frac{93}{100}$ acres of C. Puff. 1,632 46
 F. D. Atherton 3,786 60
\$9,972 02

The new Infirmary was occupied about August 15, 1870, this being the date from which Doctor Coleman, the first attending physician, was paid. There is no record of the Board of Directors beyond that contained in the minutes of the Board of Supervisors prior to October 3, 1870, at which date a meeting was called, officers elected, and minutes taken. This was continued up to May 4, 1874, three and two-thirds years. The report of the Hospital Committee for the year ending December 31, 1874, is as follows:—

Number in hospital, January 11, 1874.	36	
Number admitted during the year.	191	
Total	—	227
Number discharged during the year	162	
Number of deaths during the year.	22	
Total	—	184
Number of inmates on December 31, 1874	43	
Yearly expense for salaries, supplies, coffins, etc.,	\$13,274.52	
Relief granted to persons outside of Infirmary.	2,842.49	
Total amount of warrants drawn.	—	\$16,117.01
Average daily expense per patient during year.	51	
Cash accrued during the year.	225.35	
Cash accrued during the year expended.	167.85	
Balance on hand, December 31, 1874.		\$57.50

On April 12, 1875, the Board of Supervisors ordered the erection of four new wards, at a cost not to exceed one thousand dollars, this expense becoming necessary on account of the want felt for increased accommodation. These were reported completed on June 14th, at a cost of eight hundred and eleven dollars and thirty-three cents, but even this extra room proved insufficient, as on May 15, 1876, the Infirmary was reported full, therefore it was thought advisable to make some lasting addition to the building. At the session of the Board on July 6th, the Hospital Committee were instructed to have plans and specifications drawn out for the increase in size of the building, which were duly submitted to the Board, who, August 17th, directed them to advertise for bids for building additions in accordance with submitted plans and specifications on file. September 11th four bids, ranging from five thousand two hundred and sixty to five thousand dollars were offered, and all rejected, while the



Wm. Tyson

plans were returned to the committee for alteration in consonance with the wishes of the Supervisors, who desired to expend a sum not exceeding three thousand dollars. The plans were again submitted on the 25th of the same month, and bids, etc., once more called for. On the 10th of October ten offers were opened, at sums ranging from five thousand one hundred and fifty to three thousand two hundred and fifty-five dollars, at which latter figure the contract was awarded to J. W. Watson. The building was reported completed, accepted by the Board of Supervisors, warrants ordered to be issued to the contractor for the sum contracted for, and one hundred and ten dollars to J. J. Newsom for services as architect, on December 11, 1876. On November 26, 1877, the Hospital Committee submitted to the Supervisors for their consideration and approval, a set of new rules and regulations intended for the guidance of physicians, superintendent, steward, cook, nurses, and other *employés*, as well as patients, which were adopted, ordered printed in pamphlet form, with County Infirmary Law, and also on cards, to be placed in the several wards of the hospital.

On December 17, 1877, a resolution was adopted appointing a committee to inquire into the necessity of purchasing twenty-five or fifty acres of land, convenient to the city of Oakland, suitable for a poor-farm or alms-house, where the old, infirm, poor and homeless, and orphans, could be sent, at the same time making it a self-sustaining institution, similar to those in the Eastern States, while the District Attorney was requested to draft a bill for presentation to the Legislature so that such an establishment should be placed on a sure foundation. The matter, it would appear, did not find favor in certain quarters, however, for on March 4th, following, appears on the records a resolution protesting against the passage of a bill "to establish a County Hospital in the city of Oakland"; the Board, however, claimed ample power, under existing laws, to provide for the dependent poor and sick of the county, and believed that the division of the Infirmary Fund would be impolitic.

On December 27, 1877, a corporation named the Oakland Homeopathic Hospital and Dispensing Association, founded by the ladies of the county, petitioned the Board of Supervisors for the use of two rooms in the city of Oakland wherein to establish their institution and afford free medical aid to the poor. The petition was denied at the time, but afterwards, on February 11, 1878, an allowance of forty dollars per month was voted, under the understanding that the Supervisors should have the privilege of sending patients to their establishment. In March, 1878, a resolution was introduced to farm out the care of the county poor, the contractor to furnish medical attendance, medicine, all necessary help, provisions, and supplies, and to have the use of the Infirmary buildings, grounds, furniture, etc. In accordance with the above, bids were advertised for during the month of April. In due time they were received and found to range from sixty-four to forty-five cents a day *per capita*, but nothing was done permanently until May 17th, when it was decided to reject all bids and continue the institution under its present management. In July, 1878, it was resolved to select a site in Oakland Township for the Infirmary, the District Attorney being requested to decide the question as to the right of the Board of Supervisors to dispose of the present Infirmary grounds and remove the establishment. The decision of that officer was favorable to the scheme, on which the Hospital Committee selected a building site in Fruit Vale—but there the matter would appear to rest. In the follow-

ing November the hospital steward presented a plan for an addition to the Infirmary, which was referred to a committee and adopted. Plans and specifications were, under proper directions, advertised for. On presentation these were referred to a Committee of the Whole, a motion to refer to the Hospital Committee having been lost. The plans of S. & J. C. Newsom were duly adopted, and bids for building the same were ordered to be placed in public competition. Ten contractors responded to the call with bids ranging from six thousand five hundred to four thousand nine hundred and fifty-six dollars, at which latter figure Messrs. Ingerson & Henderson were awarded the contract on January 13, 1879. This addition was reported finished March 24th, and the Board, after visiting and examining, "pronounced it good," and recorded, March 31, 1879, their formal acceptance of the work.

We now append the last report of that institution:—

The Alameda County Hospital was located in Oakland August 16, 1864. From that date to 1869, a period of five years, there were 356 patients admitted for treatment; 200 were discharged cured, 91 improved or left voluntarily, and 54 died.

In 1868 the Board of Supervisors purchased 123½ acres of land near the foothills, two and a half miles from San Leandro and ten and a half miles (not fourteen or sixteen miles, as often stated) from Oakland, for an Infirmary, paying therefor \$5,535. In 1869 a building was erected and the hospital closed in Oakland and the Infirmary established at its present location.

Other buildings were erected in the years 1875, 1877, 1879, and 1882. At present there is room for nearly 200 patients.

From the establishment of the hospital in Oakland, August 16, 1864, to December 31, 1882, there have been 3,778 admissions, of whom 466 have died and 3,197 have been discharged, cured, improved, or leaving voluntarily, except a few each year sent away for disobedience.

The following report of the Infirmary for the year ending December 31, 1882, was presented to the Board of Supervisors:—

TO THE HONORABLE THE BOARD OF SUPERVISORS OF ALAMEDA COUNTY, CALIFORNIA—*Gentlemen:* I have the honor to present the following report of the Infirmary for the year ending December 31, 1882.

Respectfully,

J. F. BURDICK, *Sec'y.*

Patients present January 1, 1882...	103
Patients admitted.....	365
Total present.....	468
Patients discharged.....	315
Patients died.....	38
Total deduction.....	353
Patients present December 31.....	115
Average number present during year.....	113

Of those admitted 99 have been former inmates of the Infirmary, and 266 were admitted for the first time.

Of those discharged, 225 were cured, 81 were improved, 5 left voluntarily, not improved, and 4 were discharged for disobedience.

THE SEX, RACE, AND NATIVITY OF PATIENTS.

Present January 1st—Males 397, females 71; natives of United States, 182; foreigners, 286; white, 457; black, 5; Indians, 6.

Deaths—Males 35, females 3; natives of United States, 15; foreigners, 23; white, 35; black, 1; Indians, 2.

Discharged—Males 265, females 50; natives of United States, 121; foreigners, 194; white, 310; black, 3; Indians, 2.

Remaining December 31st—Males 97, females 18; natives of United States, 46; foreigners, 69; white, 112; black, 1; Indians, 2.

The following shows the number admitted, readmitted, discharged, died, and the average number of patients present, by months, during the year:—

Total number admitted in January, 27; February, 38; March, 35; April, 38; May, 32; June, 30; July, 31; August, 28; September, 21; October, 29; November, 28; December, 28. Total, 365.

Discharged in January, 22; February, 19; March, 38; April, 35; May, 33; June, 35; July, 26; August, 25; September, 26; October, 20; November, 17; December, 19. Total, 315.

Died in January, 4; February, 3; March, 2; April, 1; May, 5; June, 7; July, 5; August, 1; September, 3; October, 2; November, 2; December, 3. Total, 38.

Average number in January, 105; February, 118; March, 120; April, 123; May, 121; June, 113; July, 101; August, 101; September, 99; October, 105; November, 109; December, 115.

Patients were received from the different townships as follows: From Alameda, 7; Brooklyn, 17; Eden, 35; Murray, 41; Oakland, 242; Washington, 21; born in hospital, 2. Total, 365.

Also from the Supervisors as follows: From Messrs. Brown, 11; Clement, 26; Dusterberry, 15; Green, 33; Hanifin, 91; Marlin, 44; Myers, 104; McClane, 26; Judge Green, 1; Dr. DuBois, 5; admitted by the Superintendent, 7; births, 2. Total, 365.

RELATIVE AGES OF PATIENTS PRESENT DURING THE YEAR.

Under twenty years, 30; from twenty to thirty, 79; thirty to forty, 86; forty to fifty, 98; fifty to sixty, 86; sixty to seventy, 56; seventy to eighty, 19; eighty to ninety, 13; above ninety, 1. Total, 468.

RELATIVE AGES OF THOSE WHO DIED DURING THE YEAR.

Under twenty years, 1; from twenty to thirty years, 5; thirty to forty, 3; forty to fifty, 9; fifty to sixty, 8; sixty to seventy, 6; seventy to eighty, 2; eighty to ninety, 3; above ninety, 1. Total, 38.

Cause of death: Abscess of brain, 1; cancer of face, 2; heart disease, 5; inflammation of lungs, 1; paralysis, 3; chronic alcoholism, 2; consumption, 19; gunshot wound, 1; old age, 4. Total, 38.

TABLE OF EXPENSES FOR THE YEAR.

Salaries officers and employes.....	\$ 4,780 00
Fuel.....	864 56
Medicines.....	461 65
Meat, fish, fruit, and vegetables.....	4,728 51
Contract supplies, dry goods, and groceries.....	5,705 69
Repairs and improvements.....	2,857 16
All other supplies, incidentals, etc.....	486 86
Total expenses.....	\$19,884 43

Average daily expense per patient, for all expenditures, exclusive of repairs and improvements, 41½ cents.

During the year there has accrued from various sales, cash left by deceased patients, and for board of pay patients; \$535.25.

There has been expended for fares, and cash paid discharged patients, and for various incidentals, \$482.80, leaving a balance of cash on hand, \$56.45.

The amount paid for salaries during 1882 is less than that paid in any year since 1873, when there were only thirty-five patients present daily; it being \$500 less than that paid in 1874, when there were only thirty-nine patients daily, and nearly \$1,600 less than paid in 1877, when the daily attendance was only sixty-five patients.

The following shows the expense incurred during each of the past five years: In 1878, for repairs and improvements, \$440.52 for all other expenses, \$20,954.15; in 1879, for repairs and improvements, \$8,250; for all other expenses, \$20,424; in 1880, for repairs and improvements, \$945.58; for all other expenses, \$17,357.92; in 1881, for repairs and improvements, \$1,782.37; for all other expenses, \$17,048.18; in 1882, for repairs and improvements, \$2,857.16; for all other expenses, \$17,027.27. From the above it will be seen that the total expenditures, exclusive of repairs and improvements, have decreased each year, being \$3,900 less during 1882 than in 1878.

While the total number of days' board for patients during 1878 was 32,120, the total number of days' board for patients during the past year was 40,515, an increase of 8,400 days, or the equivalent of 25 years for one person.

It would appear as if there were a fatality attending the office of County Treasurer, human nature being, it seems, too weak to be trusted with monetary responsibility. In nearly every county of the State the unfortunate charge of malfeasance in the office has occurred, and still more sad is the fact that it still occasionally happens. Though temptation surround us, so much the more resolute should we be in meeting it: it is a timid heart and a weak mind that cannot work for the honor and glory of the public weal without descending to the debasing and treacherous act of speculation. On August 17, 1859, the Finance Committee reported a deficiency of six thousand five hundred and eleven dollars and ninety-nine cents in the County Treasury. The Board of Supervisors at once directed the District Attorney to bring suit against C. C. Breyfogle as Treasurer of the county of Alameda, and his bondsmen. On the next day that officer's resignation was tendered and accepted, and the position offered to Joseph S. Watkins, but this gentleman declining, James Scott was appointed. On the assembling of the new Board of Supervisors, their first duty was to order the pressing of the suit against Breyfogle and his sureties for "eight thousand dollars and more." The end of the affair was that the county was no loser, as the security was sufficient and the sum missing was made good, all of which was so reported by the Finance Committee on August 13, 1861.

On November 7, 1859, the new Board of Supervisors of Alameda County, consisting of J. W. Dougherty, of Murray Township; M. Fallon, Oakland Township; James Shinn, Washington Township; A. A. Anderson, Eden Township; S. M. Davis, Brooklyn Township, met, the first-named gentleman being chosen Chairman. On the 11th of November, they recommended the passage of a law granting the County Treasurer from three to five per cent. on all sums less than fifty thousand dollars disbursed by the treasury.

During the session of the Legislature in this year (1859), the bridge question again cropped up although it was thought to have been finally settled two years previously. In this year an attempt was made by the owners to pass an act confirming the original contract as granted by the Court of Sessions, as it was contemplated to construct a new one in its place. The Legislature, however, refused the legislation desired, and the question remained *in statu quo*.

As a matter of curiosity, we now produce some of the assessments, showing in whose coffers lay the wealth of the county:—

J. J. Vallejo.....	\$190,050	G. W. Patterson.....	\$ 17,320
William Castro.....	148,600	Mrs. A. C. Colombet.....	17,000
Estudillo Family.....	120,359	Thomas G. Carey.....	15,400
Hathaway, Brady & Crabb.....	60,800	H. N. Carpenter.....	15,000
Soto Family.....	60,392	Benjamin Holladay.....	15,000
J. B. Larue.....	56,145	C. J. Stevens.....	14,725
Ygnacio Peralta.....	54,100	A. Lewelling.....	13,700
A. Alviso.....	45,900	California Steam Navigation Company.....	13,500
S. B. Martin.....	43,250	Z. Hughes.....	13,450
H. G. Ellsworth.....	38,975	Richard Threlfall.....	12,450
J. W. Dougherty.....	31,800	William Glaskin.....	12,000
F. Higuera.....	28,950	Coffee & Risdon.....	12,000
Livermore Estate.....	28,300	H. I. Irving.....	11,675
Contra Costa Steam Navigation Company.....	28,000	Wm. H. Souther.....	11,500
Edward Minturn.....	27,200	E. S. Eigenbrodt.....	11,450
Robert Simpson.....	26,750	Mulford & Co.....	11,425
E. L. Beard.....	26,285	William H. Maddox.....	11,250
A. M. Peralta.....	25,550	Cull & Luce.....	11,040
Clemente Colombet.....	25,100	R. B. Donovan.....	10,950
A. B. Fabes.....	23,000	Jesse Beard.....	10,625
Antonio Suñol.....	21,400	J. Lewelling.....	10,385
W. M. Lubbock.....	20,000	A. L. Pioche.....	10,300
Earl Marshall.....	18,000	Domingo Peralta.....	10,000

1860.—Early in the year 1859 the Alameda County Agricultural Society was organized and fully placed in working order. On February 7, 1860, we find them applying to the Supervisors for the five hundred dollars appropriation authorized by the Legislature, but this sum the Board pleaded its absolute inability to pay, owing to "the present depressed state of the finances" of the county, although it was perfectly willing to hear and act upon the petition. The amount of five hundred dollars was, however, paid on the 27th of the same month, and another like sum, apparently, on August 3, 1861. On June 15, 1860, two Commissioners were appointed to investigate the matter of county licenses, these gentlemen each to receive twenty dollars per month for their services. The office was abolished on the 8th of August, however.

The new Board of Supervisors met on December 10, 1860, the members being F. K. Shattuck, Oakland Township; A. W. Swett, Brooklyn Township; John Lewelling, Eden Township; C. S. Eigenbrodt, Washington Township; Michael Murray, Murray Township; from whom Mr. Lewelling was chosen Chairman, but their operations, though of much profit to the county for the balance of the year, are of not much profit to the historian.

We are not a partisan in politics, but the year 1860 is one the memory of which

should not die. In it the Republican party, which came into existence in 1856, ousted the Democrats from their position, which they had held for more than three decades. The Republicans became dominant throughout the country, the State, and the county, and the first martyred President, Abraham Lincoln, was called to the highest position in the gift of the people.

1861—The initial record for the year 1861 demonstrates the idea that the Board of Supervisors had not found the bills presented by Justices of the Peace and Constables always in order—indeed, that they usually bore on their faces the brand of extravagance. To remedy this they passed an order, on February 4th, introducing a system of “red-tape,” whereby the accounts of these officers should all be certified to ere presentation. At this meeting Supervisor Eigenbrodt, of Washington Township, spoke of the desirability of constructing a good, durable road through the county that can be traveled at *all seasons* of the year, on which the Board resolved to originate and present a plan. On February 5th two hundred and seventy-five dollars were paid, for engraving and printing county bonds on account of the bar at the mouth of San Antonio Creek, to Benjamin F. Butler. Not long after this gentleman became famous, and is, we are informed, the now renowned Ben. Butler, the lawyer-general-Governor of Massachusetts. The county, on the same date, purchased from J. W. Carrick, at a sum of three hundred and seventy-five dollars, a safe for the Treasurer’s office, that in which the public funds had been hitherto placed being provided by that official himself at his private expense. In the minutes of February 12th we find that the Board had knowledge of a petition having been presented to the Legislature whereby Washington Township should be given back to Santa Clara County, but the Representative in the Legislature was instructed that such a proceeding would be unwise, and the matter finally dropped. May 5th J. O. Miner and Joseph Chadbourne, having petitioned that the span in the Oakland Bridge (Twelfth Street Bridge) be widened, at their own expense, so that they could be able to ship bricks through it, a committee was appointed to investigate and report, the prayer of the petition being finally granted.

In the year 1861 there were no less than three parties in the field, namely, the Republicans, Democrats, and Union Democrats, the first being successful in all parts of the State. For the distinguished office of State Senator, A. M. Crane, Republican, received twelve hundred and seventy-four votes; H. Linden, Democrat, two hundred and eighty-eight; and N. Hamilton, Union Democrat, six hundred and sixteen votes, while there were no less than six candidates in the field for the office of Member of Assembly, the successful competitors being the two Republicans, S. B. Bell and J. M. Moore. The Supervisors elected were: Charles S. Eigenbrodt, Washington Township; William Meek, Eden Township; Michael Murray, Murray Township; H. Robinson, Brooklyn and Alameda Townships; F. K. Shattuck, Oakland Township, the last-named gentleman being chosen Chairman. Having adopted rules of procedure, as well as the committees of their predecessors, they commenced their labors on November 4, 1861.

It can never be forgotten that during this year (1861) the great Civil war burst upon the country carrying with it all its accompanying heart-burnings, havoc, and

desolation. Though the scene of actual warfare lay thousands of miles away, our own California was not without its sympathizers. Military companies sprang up on every side determined to maintain the integrity of the Central Government, and Alameda County was not behindhand in practically asserting her loyalty. On August 31, 1861, the Oakland Home Guard was organized and properly officered by gentlemen whose names will be found elsewhere, while, on November 4th, it is of record that they were allowed a monthly apportionment of twenty dollars, which, January 1, 1862, was raised to fifty dollars *per mensem*, wherewith to provide an armory. Of the further doings of the Oakland Home Guard and other corps we speak in our chapters of Township Histories; but we may here record, while on this subject, that, February 18, 1862, the Board of Supervisors passed the following preamble and resolutions, which were carried *nem con*.—

“WHEREAS, The news of the success of our arms at Fort Donelson (captured February 16, 1862) and elsewhere inspires us with feelings of joy and gratitude and lively hopes of a speedy restoration of the Federal Union and the supremacy of the Constitution; therefore,

“Resolved, That this Board do now adjourn for ten minutes for the purpose of raising the glorious old flag of the Union and saluting it with three cheers and a tiger.”

The record then follows with these words: “All of which being done with a will and with the proud emblem of our Country’s Liberty floating at the mast-head the Board resumes the *tame* business of consideration of accounts.” The probable author of the foregoing, Supervisor Eigenbrodt, afterwards sealed his patriotism with his life as an officer of the California Hundred.

In this year crime was rife throughout the county, and especially in Murray Township, it frequently occurring that first-class misdemeanants escaped from out of the reach of the law. The Sheriff was at too great a distance to effectively interfere, he therefore appointed James S. Kapp his Deputy for that district—the initial step towards suppressing lawlessness in that out-of-the-way section of Alameda County.

In 1861, the county had to deplore the loss by death of Hon. A. L. Rhodes of San José, the Joint Senator representing Alameda and Santa Clara Counties, a gentleman much respected by all, and of high literary attainments. We may now close the record of 1861 by mentioning that notwithstanding the Republican Ticket having carried all before it at the general election, the Democracy held sway at the Charter election for the officers of the city of Oakland.

1862.—This year opened with a series of devastating floods throughout the county, remarks on which will be found elsewhere in this work. The first matter of interest to be noticed in this place as performed by the Board of Supervisors was the appointment of a committee to ascertain the probable cost of a perfect and accurate map of the county, which it is presumed was supplied, for later we find a copy of one in the Recorder’s office mentioned. On May 5, 1862, we find that the county printing was given to the *Gazette* at twenty-five dollars per quarter. It would appear that the Grand Jury found, in this year, the Court House, jail, and other county buildings in a state of disrepair, on which some condemnatory remarks were passed, otherwise, the affairs of the county were in a very flourishing condition, while the manner in which the different offices were conducted, and the integrity of the officials in

charge were highly commended. The periodicals of the day hand down to posterity the following rather absurd blunder on the part of the then Senator from Alameda. It would appear that the copies of a bill which he introduced in the Legislature concerning roads in the county, in its sixth section read: "The Board of Supervisors shall not open or establish any road or highway through the ornamental grounds of any dwelling-house of over three years' growth, etc." The relator goes on to state that Mr. Oulton of San Francisco, rose in amendment, and with much gravity moved to insert after the word "through," this clause: "The number of years which the house has been growing shall be determined by the rings of the chimney," this gentleman evidently drawing his inspiration from a rather recent visit to the Calaveras and Mariposa Big Trees. On April 24th of this year, in defiance of the determined opposition of Senator Crane, the bill providing for the payment of the Gilman debt to Contra Costa by Alameda County was carried by a large vote. The Board of Supervisors at their May term directed the levy of fifteen cents on each one hundred dollars' worth of property, as a war tax, as well as a *per capita* tax of two dollars on each male inhabitant between the ages of twenty-one and sixty years.

June 14, 1862, a Union County Convention was held at San Leandro when delegates to the State Convention to be held in Sacramento on the 17th were selected as follows: A. M. Church, A. M. Crane, W. W. Crane, Jr., A. J. Kelly, William Kennedy, S. W. Levy, William Meek, J. M. Moore, F. K. Shattuck. The presiding officer at the State Convention was Walter Van Dyke, of Humboldt, but subsequently, for many years, an honored resident of Alameda. For the purpose of nominating candidates for the Assembly, a second Union Convention was held at San Leandro on August 13th, when there were present over fifty delegates, who were about equally divided between Democrats and Republicans. On the occasion resolutions of unswerving loyalty were passed, and some opposition to the candidature of Milton S. Latham for United States Senator expressed. Henry Robinson of Alameda, Republican, and Thomas Scott of Washington, Democrat, were the choice for the Assembly of the Convention. The election in the month of September proved the wisdom of this selection, as the accompanying votes will explain: For Assembly, Robinson, (Union) nine hundred and fourteen votes; Scott, eight hundred and thirty-four; Johnson, (Union Democrat) seven hundred and seventy-seven; Fallon, six hundred and forty. It may be mentioned, and it is generally conceded, that the creation of the Union Democratic party is due to Alfred A. Cohen, an eminent lawyer of San Francisco and a wealthy resident of Alameda.

On November 3, 1862, the new Board of Supervisors consisting of F. K. Shattuck, of Oakland Township; William Meek, of Eden Township; S. M. Davis, of Brooklyn and Alameda Townships; H. Overacker, of Washington Township; and J. West Martin, of Murray Township, took their seats, elected Mr. Shattuck Chairman, and adopted the rules of procedure of the year 1859. In this month an election for District Judge of the Third Judicial District was held, with a majority for Samuel Bell McKee of seventy-six votes, as will be gleaned from the following figures:—

	S. B. MCKEE.	T. A. BROWN.
Monterey.....	349	420
Santa Cruz.....	199	385
Alameda.....	333— 881	805



A. W. Church

1863.—The political aspect of the country remained unchanged, for the dreadful civil war was yet raging; in our own county, however, demonstrations were not wanting to intensify the patriotism of the people, while it is rendered famous in the history of the county as that in which the question of subsidy to railroads was tested in the instance of the Alameda Valley Railroad; and in that of the world as the year in which the first sod was cut for the great Central Pacific Railroad. In this year too the functions of the time-honored Court of Sessions were ended, and their mantle descended upon the shoulders of the Board of Supervisors.

On January 2d, intelligence was received from San Francisco of the death of Judge Lent, of the Alameda County Court, after a long and painful illness. His place was soon filled by Governor Stanford, who appointed Major Noble Hamilton to the office, Asa Walker and George Fleming being chosen Associate Justices by Mr. Hamilton. Owing to another of the county's officials being called upon to cross the dark river, we find recorded under date April 6, 1863, the following resolutions, *in memoriam*:—

“WHEREAS, Since the last meeting of the Board of Supervisors of the county of Alameda, Samuel M. Davis, one of the members of this Board, has departed this life, and the other members of the Board being desirous of manifesting their respect for his memory; therefore,

“Resolved, That in Samuel M. Davis we have always found, in the discharge of his duties as a member of this Board, uprightness of purpose and a strong solicitude to follow the path of right. In our social intercourse we found him the warm and generous friend, with affable disposition and deportment; we therefore sincerely deplore his loss.

“Resolved, That these resolutions be spread upon the minutes of this Board in token of respect to his memory.”

On January 10, 1863, articles of incorporation of the Alameda Valley Railroad were filed in the office of the Secretary of State, the length of the line being twenty-two miles, and its terminus at Niles, the estimated cost of which was seven hundred and fifty thousand dollars, shares being put at one hundred dollars each, with ten per cent. paid down. The first Board of Directors were: B. C. Horn, President; Timothy Dame (President of the San José Road), Treasurer; George E. Potter, Secretary; and William Hayward, J. A. Mayhew, J. B. Felton, E. M. Derby. The Board of Supervisors being authorized by the Legislature, the direct result of a bill introduced by Senator Crane, approved April 21, 1863, to subscribe for Alameda County two hundred and twenty thousand dollars' worth of stock in the enterprise, should the sanction of the people be obtained, a special election was held June 2, 1863, when the proposition was declared lost, as under:—

PRECINCT.	Whole No. Votes.	YES.	No.
Oakland.....	419	389	30
Temescal.....	50	49	1
Ocean View.....	52	51	
Brooklyn.....	258	103	155
Half-way House.....	65	5	60
San Leandro.....	90	12	78
Haywards.....	117	49	68
San Lorenzo.....	66	6	60
Mount Eden.....	45	11	34
Alvarado.....	132	16	116
Mission San José.....	152	26	126
Centreville.....	198	24	174
Hart's (Murray).....	57	56	1
Dougherty's Station.....	62	4	58
Alameda.....	49	28	21
	1812	829	982

Giving a majority against the proposition of one hundred and fifty-three votes. In this year J. B. Larue, A. W. Swett, and William Hayward obtained a franchise in San Francisco for constructing a wharf for the accommodation of the ferry line of steamers plying between Oakland and San Francisco. They grounded their petition on the plea that the line had been in operation since 1858, and that it had become a necessity to the public. About this time Senator Porter of Contra Costa had the claim against Alameda County submitted to a committee of the Senate hoping to compel its payment, but they reported against it; suit was thereupon instituted and, August 8th, O. L. Shafter was paid by the Board of Supervisors the sum of five hundred dollars to defend the case. On August 18th we find that the Board of Supervisors determined to lay a side-walk on either side of the road between Alvarado and Centreville and make provision for shading the same with trees; but although the first part of the proposition was carried out, the matter of planting trees was revoked March 7, 1864.

On June 13th a Union Party Convention assembled at San Leandro under the presidency of Asa Walker, with F. M. Campbell, Secretary, when the following delegates to the Union State Convention at Sacramento were appointed: Alameda Township, Henry Robinson; Brooklyn Township, A. W. Swett; Eden Township, William Meek; Murray Township, (no delegate); Oakland Township, John McMann; Washington Township, H. Overacker. The Democratic County Convention was held at the same place on the 27th of June, and among those who took a part in its affairs was ex-Governor Weller, who, in 1863, was a resident of Fruit Vale, while on August 1st the Union County Convention met for the purpose of nominating the county ticket, which at the election was triumphant in every instance. At this election the vote in Alameda County for Governor was, Low (Union), one thousand three hundred and ninety-two; and Downey (Democrat), eight hundred and five. In regard to the Judicial election held October 21st, Judge McKee defeated Judge Brown of Contra Costa, who had received the Union Nomination, by three hundred and thirty-three votes.

In September of this year a mandamus was issued by Judge Reynolds, of Contra Costa, with the purpose of compelling the Board of Supervisors of Alameda County to levy a tax to pay the Contra Costa judgment, but on application to the Supreme Court a stay of proceedings was granted. On the 14th of the same month panels of grand and trial jurors were apportioned in the following manner: Alameda Township, three; Brooklyn Township, nine; Eden Township, eleven; Murray Township, six; Oakland Township, seventeen; Washington Township, fourteen.

During the year 1863 the Legislature passed an Act providing for the election of two additional Supervisors for the county, and that the townships of Brooklyn and Alameda have power to elect one Supervisor for each township; therefore, on October 5th, when the new Board met it was composed of A. Cummings, of Alameda Township; Robert S. Farrelly, of Brooklyn Township; William Meek, of Eden Township; John Green, of Murray Township; F. K. Shattuck, of Oakland Township; and H. Overacker, of Washington Township; Mr. Shattuck being again chosen Chairman.

On November 2, 1863, plans and specifications for a bridge across the San Leandro Creek at the town of that name were adopted, and sealed proposals for building the same were desired to be called for, the work being eventually let to Dole &

Brother, at the contract figure of two thousand five hundred dollars. November 3d, the Alvarado Guards asked for an apportionment for rent of armory and were allowed fifty dollars per month from that date, while, December 7th, the last record of the year, District Attorney W. W. Crane resigned his position and was replaced by George M. Blake.

1864.—The Grand Jury which met in January of this year having declared the county jail to be a public nuisance, the Board of Supervisors must have taken the matter to heart to some extent, for we find them, on February 2d, appealing to the Representatives in the Legislature to have a bill passed as soon as possible, authorizing the levy of a special tax for the erection of a county jail and making urgently-required repairs to the Court House. In the meantime a watchman was placed in charge "until the parties at present confined therein for grand larceny be discharged;" while on the 23d of the same month a committee was appointed to make a thorough investigation into the condition of the premises, who it would appear reported that its state was far from satisfactory, and that additional accommodation was imperatively necessary. To this end a contract was entered into with Messrs Kittredge & Leavitt for the construction of an iron cell to cost sixteen hundred dollars, a work that was at once proceeded with, reported complete, and paid for, September 5, 1864. On May 23d a proposition to make the jail of the city of Oakland a branch of that of the county for the confinement of persons where the city was liable for the expenses of keeping, was received and referred to the District Attorney. At the previous meeting of the Board, a committee was appointed to report upon the advisability of building a board fence around the Court House Square, a proceeding they considered unwise. However this does not appear to have been the opinion of the majority of the Supervisors, for they adopted a plan presented by E. H. Goff, and specifications therefore were received, and proposals to build advertised for; and on the 15th August, another committee was appointed to superintend the construction of a high fence to inclose the jail, repair the well, etc., at a cost not to exceed five hundred dollars, a labor that was apparently performed, as, on the 19th October, a charge of four hundred and seventy-five dollars for such work appears on the minutes.

During the month of January J. B. Larue, at a meeting of the Board of Supervisors, presented a scheme for their approval having as its object the improvement of the navigation of the San Antonio Creek, provided he were allowed a franchise and permitted to levy a toll. Frequent attempts to effect this boon had been previously made but to no avail, while he deprecated the idea that the granting of such a privilege would have the appearance of the Supervisors' countenancing a monopoly, as there were already two ferry lines having communication between Oakland and Alameda and San Francisco, irrespective of that which used the creek. Mr. Larue made the proposal in the name of the Oakland and San Antonio Steam Navigation Company, of which corporation he was the President. Further resolutions were introduced by him, February 2d, but the subject was left in abeyance for some time; the Supervisors, however, subsequently thought favorably of the plan, which was embodied in a bill that was, although passed by the Legislature, vetoed by the Governor.

On February 18, 1864, the *Oakland News* was given the publishing of the proceed-

ings of the Board of Supervisors at the same rate as charged by the Alameda County *Gazette*. March 3d, Socrates Huff, the newly-elected County Treasurer, presented his receipt, showing that he had received from J. W. Carrick, the late incumbent of that office, the sum of ten thousand two hundred and twenty-one dollars and sixty-six cents, being the amount of funds on hand in the County Treasury; and on the 7th, twenty thousand dollars were distributed among the Road Districts of Alameda, Brooklyn, Eden, Murray, Oakland, and Washington. On the 3d of the same month occurs the first bid for national aid to improve the navigation of the San Antonio Creek, at which time resolutions, setting forth the immense advantages that would accrue to the county were such a scheme perfected, were passed and ordered to be sent to the Senator and Assemblymen of Alameda in the Legislature.

Under the chairmanship of Dr. W. Newcomb, of Oakland, and S. S. Saul, Secretary, a Union County Convention was held at San Leandro on March 19th, at which time delegates were appointed to the State Convention to be held in Sacramento, who selected those to proceed to the National Union Convention to choose candidates for the offices of President and Vice-President of the United States, their unanimous sympathy, as the sequel showed, being with Abraham Lincoln. In continuation of this subject we may state that the Democratic County Convention met at the same place on the 7th of May for a similar purpose, with William S. Moss presiding, and Harry Linden, Secretary, when William S. Moss, P. E. Edmondson, W. H. Glascock, and Harry Linden, were appointed delegates to the State Convention. These political meetings culminated on the 29th October, when a very numerous attended and enthusiastic gathering of Union followers at San Leandro—the largest then that had been had in the county—met to do honor to their popular nominees. I. A. Amerman, President of the Lincoln and Johnson Club of San Leandro, officiated as Grand Marshal of the Day, with E. M. Smith, Lysander Stone, and E. C. Jacobs, as Aides-de-Camp. As the sun reached the meridian the strains of music from the south proclaimed the arrival of the contingent from that portion of the county, headed by a brass band. It included a delegation from Centreville, with Capt. J. M. Moore as Marshal; another from Alvarado, with whom was the military company in full uniform and accoutered, with Judge Williams as Marshal; while there came under the marshalship of Henry Smith, a strong body from San Lorenzo. This column presented a most imposing appearance when on the line of march, as it occupied the space of road between San Lorenzo and San Leandro, with its flag-bedecked wagons and gaily-caparisoned horses. The hour of noon had scarcely tolled ere the phalanx from the northern portion of the county came in sight with

“Fife and steed, and trumpet and drum, and roaring culverin,”

This last being a mounted cannon, bearing the label, “The Peacemaker.” This contingent was marshaled by F. K. Shattuck, of Oakland, accompanied by Gen. Irwin McDowell, the members of his staff, and the Oakland Guard. The Brooklyn delegation, with some men from San Francisco, marshaled by Hon. Thomas Eager, numbered a thousand men. The Alameda division was headed by Judge Hastings, and when moving stretched from Alameda Lane to San Leandro, a distance of four miles and a half, these two making a procession eight miles in length. This vast concourse passed in review order before General McDowell, who stood in his carriage,

with uncovered head, company by company, as they filed past, making the welkin ring with their loyal cheers. The Hon. Edward Tompkins was President of the Day, who made a most eloquent and soul-stirring speech, and was followed by Hons. Delos Lake, Nathan Porter, F. M. Pixley, J. G. McCallum, Attorney-General McCullough, W. H. L. Barnes, and Judge Tyler, the Secretaries for the occasion being Messrs. Saul, Gagan, and Estabrook Smith. This demonstration was in every sense a most enthusiastic one, as is now remembered with great gratification by those now alive who participated in it.

At this time great dissatisfaction was felt at a fee bill that had passed the Legislature through the instrumentality of Assemblyman Scott, therefore it became necessary to pass a new Act, making the fees of the Sheriff the same as those established by the enactment of 1855, and repealing the clause relative to the fees of Justices of the Peace and Constables; while, about the same period, Andrew B. Forbes and his associates made application to the Legislature for the grant of a wharf franchise, to maintain and construct such a pier at Green Point, for the public convenience and the accommodation of steamers plying between San Francisco and Alviso. The South Pacific Coast Railroad have now built to that point from San José, and in its vicinity has since sprung up the town of Newark.

On May 2, 1864, Dole & Brother were paid the sum of two thousand dollars on account of the building of the bridge at San Leandro, while the time for finishing the same was extended to the 1st of June. It was, however, completed and accepted by the county on May 23d, and the balance of two thousand four hundred and forty-five dollars due to them paid; while, it was ordered, August 8th, that a fine of fifteen dollars be imposed for rapid driving over it. On May 5th, the Auditing Committee on the accounts of the Auditor and Treasurer, from February 1, 1862, to February 1, 1864, reported that they found these in a satisfactory state and correct; and on the 23d it was reported that a bridge over Alameda Creek, near the Bell Ranch, was imperatively necessary. On the same date plans and specifications for repairing and replanking the Oakland Bridge were ordered and bids for doing the same called for. This contract was let to A. W. Hawkett & Co., for nineteen hundred and ninety-five dollars, to be paid in county warrants on completion, which was duly done August 8, 1864. The old lumber was thereafter sold, and the proceeds, seventy-seven dollars and fifty cents paid into the Treasury.

As is too well remembered, party feeling ran very high at this period, and many were the disloyal statements made by the unthinking portion of the community. The county, however, never had itself so startled as it was when the intelligence was received from San Francisco that its District Attorney had been apprehended by a United States Marshal for using seditious language, and incarcerated on Alcatraz Island. The crime, however, proved to be less serious than was at first imagined, for, soon after, Gen. J. S. Chipman was released on taking the oath of allegiance.

In June of this year the following excellent joke was perpetrated on Judge Church, the first County Clerk and Recorder of Alameda, and at present a very able and efficient Justice of the Peace of Oakland Township. It would appear that several gentlemen had determined to subscribe a monthly amount towards the Soldiers' Relief Fund, during the continuance of the war, and among those who subscribed ten

dollars per month was our excellent friend. Upon the receipt of the contribution, the Committee of the Soldiers' Relief Fund published the acknowledgment in the *Aita California*—then, as now, a morning paper—of ten dollars from "A. M. Church, San Leandro," which appeared in the *Bulletin* of the same evening, transmogrified into the following: "African Methodist Church of San Leandro," thus taking a very strange, though innocent, liberty with Mr. Church's initials.

On November 8, 1864, the Presidential election showed a majority in this county for Lincoln of six hundred and fifty-eight votes, while his plurality throughout the State was sixteen thousand six hundred and thirty-four votes; and, for Congress, Higby received fourteen hundred and fifty-eight votes, as against seven hundred and ninety-seven for Coffroth.

The new Board of Supervisors met December 5, 1864, as follows: F. K. Shattuck, Oakland Township; L. Fassking, Alameda Township; R. S. Farrelly, Brooklyn Township; William Meek, Eden Township; H. Overacker, Washington Township; John Green, Murray Township. Mr. Shattuck was chosen Chairman. Standing Committees on Auditing and Finance, Roads and Bridges, Judiciary and Hospital, were appointed, and Dr. E. Gibbons, L. Fassking, and F. K. Shattuck, elected managers of the County Hospital. It should be mentioned that during the year 1864 was the first term that the Legislature sat under the biennial system inaugurated by the amended Constitution.

1865.—Besides a general activity in railroad building, there was nothing of great political significance occurred in Alameda County, although the assassination of President Lincoln occupied much attention. The first item of note is the allowance, on February 11, 1865, of fifty dollars a month to the Hayward Guard for the purpose of providing an armory; while, August 21st, the like sum for the same object was granted to the Brooklyn Guard, another military organization. In this month the Supreme Court affirmed the judgment obtained by Contra Costa County against Alameda County, for the old Oakland (Twelfth Street) Bridge indebtedness, the amount being fifteen thousand dollars, and, on November 25th, under the Act approved April 26, 1862, the amount paid by Alameda to Contra Costa, if any, was directed to be apportioned, fifty per cent. to be applied to building a road from the Walnut Creek House, in Contra Costa County, to the Alameda County line, to superintend which, on the 27th of December, F. K. Shattuck was appointed Commissioner to meet a like official from Contra Costa. On March 2, 1865, the collection of the road poll tax was systematized, and Road Commissioners were directed to procure a sufficient number of receipts for the purpose of issuing them to Township Assessors, who were to make monthly and yearly reports of the same and be held liable, on bond, for any deficiency. On the same date the petition of the San Francisco and Alameda Railroad Company and others, for permission to lay their track through Alameda Street to Ward Street, and through the latter to the easterly side of the county road, was granted, so far as crossing the county road at the termination of Ward Street was concerned; while, at the same session of the Board, the following apportionment of grand and trial jurors was made: Oakland Township, seventy-eight; Alameda Township, fourteen; Brooklyn Township, thirty-six; Eden Town-

ship, thirty-seven; Washington Township, fifty-six; Murray Township, nineteen. In the month of March, in this year, we find that the committee to whom was delegated the duty, examined and passed that now distinguished lawyer, A. A. Moore, who was admitted to practice in the District Court. Mr. Moore was the first law student from Alameda County to make such an application.

The profound sensation caused on the receipt of the intelligence of President Lincoln's assassination may be more readily imagined than described. On April 17, 1865, the Board of Supervisors held a meeting, there being present Messrs. Fassking, Farrelly, Meek, Overacker, and Green. Mr. Farrelly being chosen Chairman *pro tem.*, upon taking his seat he offered the following resolutions, which were unanimously adopted:—

"WHEREAS, The sad intelligence has recently come to us of the death of our beloved President, ABRAHAM LINCOLN, who has been inhumanly murdered in cold blood by a brutal assassin, the like of which cowardly assault does not find its parallel in the history of the world, therefore be it

"*Resolved*, That as we have always loved and respected HONEST OLD ABE, OUR GOOD PRESIDENT, while he lived, and in common unison with our fellow-citizens throughout the Union, we are sad and sorrowing to-day at the great loss our nation has sustained, trusting in the God of our fathers, who has always sustained our nation, and who ever keeps her destiny in his hands to still uphold our country during this terrible affliction. It is hereby further

"*Resolved*, That we do now, as a Board of Supervisors, adjourn without transacting any business until the first Monday of May, and that all matters coming before us at this time be continued until the said first Monday of May, and that the Sheriff of the county be directed to drape the Court House with appropriate badges of mourning, the same to remain thirty days.

"And the Board then adjourned.

F. K. SHATTUCK, *Chairman.*

"Attest: G. E. SMITH, *Deputy Clerk.*

About this time the late Hon. J. B. Felton was a prominent candidate for the position of United States Senator, and many were the remarks made as to the means used to further his candidature, but with these we have nothing to do. His cause was warmly espoused by the *Oakland News*, and as strenuously opposed by the *San Leandro Gazette*. On the 5th of August the Union County Convention was held in San Leandro, and the Democratic Convention at the same place on the 24th, the platform adopted being: First—In favor of a hard money currency, with an extension of the Specific Contract Act, to include verbal contract for workmen's wages. Second—Opposition to negro or Chinese suffrage. Third—In favor of the reconstruction of the Southern States on the principles established by President Johnson. At the general election which followed, on September 6th, the Union candidates were successful in every instance; while, at the judicial election held in the following month, S. W. Sanderson, the Republican nominee for Judge of the Supreme Court, received, in Alameda County, three hundred and ninety votes more than did Hartley, the Democratic candidate.

On October 23, 1865, the new Board of Supervisors, consisting of F. K. Shattuck, Oakland Township; A. Cummings, Alameda Township; R. S. Farrelly, Brooklyn Township; J. B. Marlin, Eden Township; H. Overacker, Washington Township; John Green, Murray Township, met, while among their first duties was the granting of a contract to E. Dole to build, for thirteen hundred dollars, a bridge across Alameda Creek near the Bell Ranch, which was completed and duly accepted November 20, 1865.

1866.—In the month of January, 1866, a bill was vetoed by the Governor which had for its object the granting to the Alameda Railroad Company a subsidy of ten thousand dollars a mile, to be raised by a tax of twenty-five cents on each one hundred dollars' worth of property, but fortunately it brought numerous remonstrants and was very properly demolished. The chief questions during the session of the Legislature in this year was what was known as the "No Fence Law," and the railroad subsidy. The first of these, introduced by Hon. Thomas Eager, was subsequently withdrawn, and the second, although it passed, was strongly opposed by the citizens, who, in meeting assembled at Oakland, March 27th, called upon the Governor to veto it, which he did. In this year Senator Robinson introduced yet another bill in the Legislature. It was for the purpose of imposing and regulating a dog tax.

On March 26, 1866, the Jackson Guards, another military organization, was allowed by the Board, the sum of fifty dollars per month for rent of an armory; on April 4th further payments to military companies were ordered suspended to await legislative action on the militia law, which subsequently allowed warrants to them up till April 1, 1866, and no farther. A commission was appointed jointly by the Alameda and Contra Costa Boards of Supervisors to survey the Telegraph Road with a view to its permanent improvement, about this time; while on March 26th the salaries of the Auditor and Clerk of the Board were respectively fixed at nine hundred and two hundred and fifty dollars per annum.

In the beginning of March, 1866, the San Antonio (Twelfth-street) bridge question again cropped in the rendering of a judgment against the claimant, in the case of *Gilman vs. Contra Costa County*, in the Supreme Court at Sacramento. Early in this chapter we have touched upon this subject (pp. 191 to 195, and 200 to 204,) and shown to the reader how an original claim of seven thousand four hundred dollars may be increased to eighty-five thousand dollars and upwards.

On May 7, 1866, five Pound Districts were established, keepers appointed, and rates for the county established as follows:—

Cattle, horses, mules, etc.	First day.....	\$1.00
	Each subsequent day.....	.50
Swine, sheep and goats.	First day.....	.50
	Each subsequent day.....	.25

On the same date a change in the Road Districts was effected, while the road poll tax, and road tax, collected for 1866-67 was directed to be set apart to the credit of its own special district. On the 29th the following Road Commissioners were appointed: Henry P. Barlow, Alameda Township; M. C. LaGrange, Brooklyn Township; Hiram Madden, Eden Township; O. Morgan, Washington Township; J. Donlon, Murray Township; Samuel C. Percy, Oakland Township; whose bonds were fixed at one thousand dollars each. This scheme, it is presumed, did not work satisfactorily, for on September 10, 1866, the road tax was ordered to be distributed once more, the Auditor being directed to call in all outstanding road warrants drawn on the different Township Road Funds and issue, in lieu thereof, warrants on the General Road and Bridge Fund of the County for the amount of principal and interest of said warrants called in. The County Superintendent of Schools, Rev. C. E. Rich, presented a report on the re-establishing and more clearly defining boundaries of the



Jos. F. Black

several School Districts, which being fully considered at their meeting of June 5th, the Board then established: Oakland, Temescal, Peralta, Ocean View, Bay, Brooklyn, Lockwood, Redwood, Alameda, Encinal, Union, San Lorenzo, Eden Vale, Eureka, Alvarado, Alviso, Lincoln, Centreville, Mowry's Landing, Washington, Mission San José, Warm Springs, Mission Peak, Murray, Pleasanton, Livermore, Suñol. On June 12th, the Contra Costa Water Company were granted the privilege to lay pipes in Brooklyn Township.

In accordance with the law requiring all persons claiming the right to vote should be enrolled in their respective townships, the following Enrolling Clerks were appointed: Charles H. Haile, Alameda; —, Brooklyn; Joel Russell, Eden; J. W. Dougherty, Murray; Perry Johnson, Oakland City; T. L. Walker, Oakland Township; J. Shinn, Washington.

On September 5, 1855, the following Supervisors were elected: F. K. Shattuck, Oakland Township; Robert S. Farrelly, Brooklyn Township; J. B. Marlin, Eden Township; John Green, Murray Township; William Threlfall, Washington Township; A. Cummings, Alameda Township. There was a tie between Messrs. Cummings and Millington for the office of Supervisor for Alameda Township, each candidate receiving forty votes, but the special election held on the 22d of the same month resulted in the choice of Mr. Cummings.

Henry Dobbel, under date December 10, 1866, put in a claim for four hundred dollars, alleged value of a mule killed in crossing an insecure bridge near Dougherty's Station, which, on being delegated to a committee, was finally rejected on January 6, 1867. The condition of the Court House would still appear to have been a cause of solicitude to the Board, for we find them on December 10th appointing another committee to examine into its condition, who reported that *thirty dollars* would make all the repairs necessary. At the same time Goff's plan for fencing that building, long since "pigeon-holed," was once more brought to light, and subsequently a contract was entered into with John Taylor, for fourteen hundred dollars, it being paid for, and therefore completed, March 23, 1867.

The Board of Supervisors, on December 10th, adopted a rule that the first day of each meeting should be devoted to petitions, reports of county officers and auditing bills, unless otherwise ordered by two-thirds of the members present; and also, decided upon explicit regulations for the government of Justices of the Peace and Constables in their reports; also for those of Road Commissioners.

In compliance with the requirements of the law, on December 3d the Board of Supervisors made a semi-annual statement of the revenue and finances of the county and the debt existing at that date. The receipts from all sources were as follows:—

From State Fund.....	\$56,711.26
“ County General Fund.....	19,752.11
“ Common School Fund.....	15,469.67
“ Road and Bridge Fund.....	23,176.70
“ Indigent Sick Fund.....	4,379.02
“ Oakland Bar Fund.....	3,882.52
“ Contra Costa Fund.....	2,453.01
Total.....	\$125,824.29
Cash on hand June 4, 1866.....	13,137.22
Grand total of Receipts.....	\$138,961.51

The total value of assessed property in Alameda County for the year was five millions six hundred and twenty thousand nine hundred and seventy-six dollars and fifty cents.

1867.—This year is remarkable as one when the Sheriff's office was no sinecure; crime was rife, and owing to the amount of individual lawlessness, the Grand Jury were three days in getting through the business of the January term. They returned into court with eleven indictments, embracing all the range of crime from manslaughter to petit larceny. It appears that at this sitting of the court, one prisoner was tried for the grave offense of stealing a horse, but was acquitted—so said the *Gazette*—by his *peers*. This legal phraseology, however correct, did not find favor with some of the jury in the case, who thought that the mighty wielder of the shears and paste-brush had branded them as horse-thieves, he was therefore called upon for an explanation, which no doubt he made, as it is not recorded that vengeance fell upon his devoted head.

In January, 1867, an important decision was rendered by the Supreme Court, touching the question of damages and benefits to property by railroads. The particular case of which we speak was that of the San Francisco, Alameda, and Stockton Railroad *vs.* Andrew Caldwell and others, land-owners on the route of the road. It had been decided by Judge McKee that it was wrong for Commissioners to take the supposed benefits conferred by a railroad as whole or part compensation for lands taken from an owner for right of way. This decision the Supreme Court reversed, maintaining that the difference in the value of property before and after the improvements should be taken into account in awarding damages and benefits. Justices Curry, Shafter, and Sanderson sustained this view, but Justice Rhodes dissented, on the ground that "benefits" could not be considered in ascertaining the "just compensation" to which the land-owner is entitled under the Constitution.

On February 4, 1867, the Board of Supervisors resolved to expend three hundred dollars in laying out Court House Square and planting trees therein, but that sum being considered insufficient for the purpose, two hundred and fifty dollars more were appropriated, and on April 13th a flag-staff, to cost fifty dollars, was ordered for the square. On April 23, 1867, Supervisors Green and Threlfall endeavored to rescind the order in force in regard to the distribution of the Road Fund, but were voted down by Messrs. Marlin, Cummings and Farrelly, but the old order was subsequently adopted on April 13th. The Board having heard that Dr. Haile had a claim against the county for medical services rendered to prisoners in the jail, under order of the former Board, on April 13th, annulled such order and notified the doctor not to render service unless so ordered. At the following meeting he was allowed three hundred and twenty-five dollars. On this same date the Contra Costa Water Company obtained permission to lay pipes in Oakland Township; and, on May 27th, Dr. T. H. Pinkerton was elected resident physician of the County Hospital.

On June 8, 1867, the Union County Convention was convened at San Leandro, but discord had crept into the ranks of the party, and there was an undoubted diversity of opinion in the assembly. Judge A. M. Crane was chosen Chairman, and A. M. Church and William Gagan, Secretaries, while there were some fifty delegates

in attendance from all the townships in the county, and the following emissaries were appointed to the State Convention at Sacramento: John W. Dwinelle and B. F. Ferris, Oakland Township; A. M. Church and B. F. Marston, Washington Township; William Meek, Eden Township; S. Milbury, Brooklyn Township; A. M. Crane, Alameda and Murray Townships jointly. Mr. Dwinelle offered two resolutions, which were adopted. The first presented Hon. E. D. Wheeler, as a candidate for the office of Attorney-General; the second indorsed the official course of Hon. William Higby as representative of the district in the United States Congress. Judge Crane (the Chairman) took the floor and offered a series of four resolutions, the first indorsing the reconstruction policy of Congress; the second favoring the amendment of the Constitution, as proposed by the Thirtieth Congress, and the disfranchisement of the leaders of the Rebellion; the third favored the amendment of our State Constitution, removing the discrimination then made against the better educated of the colored people of the State; the fourth resolved that "while this Convention refrains from instructing the delegates to the State and Congressional Conventions in favor of any particular persons, yet we do instruct them to vote for no candidate known to be a crafty and unprincipled politician, seeking his own good and the consummation of corrupt schemes for the enriching and aggrandizement of a class at the expense of the people; for no one heretofore known as a corrupt lobbyist, seeking to impose upon the people an immense public debt for the sole benefit of already overgrown corporations or secret cliques and 'rings' of public thieves; for, no one, in short, whose record in public and private life is not pure and clear from all such corrupt contaminations." The mover sustained his resolutions in a lengthy speech, after which Mr. Dwinelle moved that they be voted on separately. The first and second resolutions were unanimously carried; the third gave rise to a discussion in which most of the members of the Convention took part. Mr. Dwinelle opposed the resolution at length, taking strong grounds against negro suffrage, contending that the negroes were inferior to the Chinese, and finally moved that the resolution be laid upon the table. Mr. Crane and Mr. Shinn replied, condemning Mr. Dwinelle's utterances, and said the speech of the gentleman from Oakland would have been a very proper one for a Democratic Convention. S. G. Nye defended the resolution as far as it went, but thought suffrage should not be based on complexion, but on manhood. On a division, it was found that twenty-five voted for Mr. Dwinelle's proposition, and twenty against, while four declined to vote, all the Oakland delegates but two voting in the majority. The fourth resolution, which was evidently aimed at the candidacy of George C. Gorham for Governor, was withdrawn, and peace and harmony restored by Judge Hamilton moving that the word *while* be stricken out of the State Constitution, wherever it occurred.

On the 15th of June the Democratic County Convention was held at the same place, when J. West Martin, C. H. Cushing, J. W. Dougherty, William Moss, and John Threlfall were appointed delegates to the State Convention.

When the Convention met at Sacramento the name placed at the head of the ticket was that of George C. Gorham for Governor, who, it was afterwards charged, had secured his nomination by smart tactics and "trading;" the real choice of the Convention was General John Bidwell, of Chico. Be this charge as it may, the

Union men that were expected to have led him triumphantly to victory, became disaffected, and at the election held in the month of October, the ticket was ingloriously defeated. The Democrats seeing this weakening of the opposing host, published a platform denouncing the Mongolian influx, declared labor to be the true foundation of all prosperity, and placed at the head of their ticket the name of Henry H. Haight of Alameda as Democratic candidate for Governor, who, amid much enthusiasm, obtained a signal majority over Gorham of eight thousand five hundred and twenty-seven votes.

On July 6, 1867, the Contra Costa indebtedness was reported fully settled, and the Treasurer ordered to discontinue the fund set apart for that purpose, and to transfer all sums on hand or due to that fund to the General County Fund.

On July 22d, the Union County Convention met at San Leandro for the purpose of nominating County and Judicial officers; the Democrats meeting for that purpose on the 10th of August. In the ticket presented by the last-mentioned party there was for the office of District Attorney, George M. Blake, a convert from the Union ranks, while, in the person of Captain Mayhew, who had been a prominent member of the other party, the Democracy also found a new follower, yet notwithstanding these recruits the Union ticket was that which won. The Board of Supervisors elected on October 4th was composed of, F. K. Shattuck, Oakland Township; Duncan Cameron, Brooklyn Township; E. M. Smith, Alameda Township; J. B. Marlin, Eden Township; John M. Horner, Washington Township; Dan. Inman, Murray Township; who appointed Mr. Shattuck, Chairman, and Messrs. Shattuck, Cameron, Smith, and Marlin, the Hospital Committee. December 12, 1867, it was ordered that no more armory claims would be allowed unless accompanied with evidence of approval by the State Board of Military Auditors.

1868.—Early in this year the late distinguished citizen of Alameda County, J. Ross Browne, was appointed Minister Plenipotentiary to the Court of Peking, but not being impressed either with the "Flowery Kingdom" or the officials thereof, he returned to these more congenial shores and at once set about unmercifully satirizing the Burlingame Treaty, that marvelous covenant which, in the language of its author and originator, was to establish the "comity of nations, and place a shining cross upon every hill" in China.

Once again in this year did the removal of the State Capital obtain prominence, and once more did Alameda County make an offer for the prize. At a meeting of the Board held February 3, 1868, on motion of Supervisor Horner, the following preamble and resolution were unanimously adopted:—

"WHEREAS, The question of the removal of the State Capital is now pending in the Legislature; therefore,

"Resolved, That a committee of three members of this Board be appointed to prepare a Bill to be submitted to said Legislature, authorizing the Board of Supervisors of Alameda County to issue bonds to the amount of one hundred and fifty thousand dollars, to be appropriated to the erection of suitable buildings for use of the State, in the event of the Legislature locating the State Capital in this County."

Messrs Shattuck, Cameron, and Smith were appointed such committee. On the 21st February, the State Legislature visited Oakland, but it is needless to say the Capital was not given to the county. On the 29th of this month County Surveyor Boardman was requested to keep an office at the county seat and remove thither all public records of his department.

In this year a bill was introduced in the State Senate, the Committee on Commerce and Navigation recommending its passage, granting a tract of submerged lands with a frontage of nearly a mile on ship channel lying between Alameda and San Leandro to the Western Pacific Railroad Company for a terminus, the company to give bonds that the terminus would be there located and that a large amount of money would be expended in improvements. A bill was introduced by Mr. Church, in this year, recommending a considerable diminution in the emoluments of county officers, which gave rise to much discussion and was the cause of a good deal of pleasantries, as may be gleaned from the following suggestive advertisement which appeared in the columns of the *Gazette*:—

“COUNTY CLERK’S OFFICE.—Notice! Except during the sessions of the courts, or meetings of the Board of Supervisors, the Clerk will be found somewhere about the neighborhood, sawing wood. Any business connected with the office will be attended to after work hours. N. B.—Orders for wood-sawing left on the order-slate will be promptly attended to at two dollars per day, and board.”

On March 18, 1868, there passed the Legislature, an Act to provide for the erection of a jail and County Recorder’s office in San Leandro; and another, concerning roads and highways in Alameda County. About the same time another bill was introduced by Mr. Church, having for its object the purchase of land for charitable purposes and the establishment of an institution thereon for the care of “unfortunates.” This has since developed into the County Infirmary. The Legislature in this year, too, failed to pass an Act in favor of granting a subsidy to the Alameda Railroad Company to aid it in extending their line to Washington Corners, which caused its abandonment.

In regard to political meetings, the Union County Convention assembled at San Leandro on March 18, 1868, and elected delegates to the State Convention at Sacramento, while that of the Democrats was there convened on the 25th of April, when they passed resolutions highly complimentary to Governor Haight, and strongly urged his being put forward as the next Democratic candidate for the highest office in the gift of the people of the United States—the Presidential Chair.

On May 11, 1868, the County Treasurer was directed to divide the late Alameda County Road and Bridge Fund equally among the several townships; but on the 1st of June this order was amended, and that officer instructed to set apart ten per cent. of the road and bridge tax and establish the “Special Road and Bridge Fund,” from which appropriations were immediately made, as follows: one thousand dollars to each of the roads—from Alvarado to Centreville; Stockton Road, in Murray Township; Salt Marsh, in Eden Township; and five hundred dollars for a new bridge across Alameda Creek, south of Alvarado. On June 1st, a petition addressed to the Board of Supervisors by the County Superintendent of Schools for an increase of salary was received and the prayer granted, his stipend being then fixed at one hundred dollars a month, with the understanding that he devote his entire time to the duties of his office.

On Saturday, July 18, 1868, a grand Democratic ratification meeting at San Leandro, in honor of the nomination of Seymour and Blair as candidates for the Presidency and Vice-Presidency of the United States, was held, among the speakers being Governor Haight and Lieutenant-Governor Holden. The chair was occupied by William S. Moss, while the Secretary was W. J. Collier, editor of the *Democrat*.

There was a great deal of excitement among politicians during the Presidential election of this year, mass meetings of both Republicans and Democrats being held throughout the county, while the most able speakers were arrayed on both sides. The Republican candidates were General U. S. Grant and Schuyler Colfax, and those of the Democracy already mentioned, the former of whom, at the election held October 3d, received a majority in Alameda County of five hundred and thirty-six votes, the winning candidates receiving one thousand eight hundred and sixty-one votes, and Seymour and Blair, Democratic nominees, twelve hundred and sixty-two. In this year there were enrolled on the Great Register, after the cancelled names were struck off, four thousand six hundred and twenty-three names, while there were recorded on the poll list only three thousand five hundred and ninety-six names, showing that there were two thousand and twenty-seven persons who did not feel sufficient interest to have their names registered; therefore, taking the number of votes cast, viz.: three thousand one hundred and twenty-three, from the number on the Great Register, and we have fifteen hundred persons in the county who were entitled to vote but did not make use of the privilege.

On October 26, 1868, the county jail of San Francisco was designated as that for Alameda County also; while, at their meeting of November 16th, the Board of Supervisors agreed upon plans for a new Court House, jail and Recorder's office, the latter to be a fire-proof brick building, and the prison to be provided with iron cells. The Board also appointed, at this time, a special committee to purchase a piece of ground on which to establish the County Infirmary, who were instructed to obtain fifty acres of land belonging to Mr. Puff, and located between San Leandro and Haywards, above the county road. The Supervisors elected for this term were: F. K. Shattuck, Oakland Township; Duncan Cameron, Brooklyn Township; E. M. Smith, Alameda Township; J. B. Marlin, Eden Township; Dan. Inman, Murray Township; William Whidden, Washington Township. On December 11th the county, conjointly with the city of Oakland, established a pest-house on the San Pablo Road; while, on the same date, rates of dockage, etc., were established for the Ocean View Wharf, under the Act of March 3, 1868.

1869.—This year opened with the ranks of our citizens being decimated by small-pox, which was then prevalent in the county, and accounts for the establishment of the pest-house mentioned above, in which, in the first week in January, there were four patients, attended by a cook, nurse, and visiting physician; beyond this there was little of any moment.

At a previous meeting a petition was presented to the Board for widening Telegraph Road from the charter line of the city of Oakland to the town of Berkeley, and February 1, 1869, set as the day for hearing claims for damages resulting from same. Claims aggregating nearly forty thousand dollars were made, and proof brought before the Supervisors, who, on May 25th, awarded as such a little over eight thousand dollars. On August 8th a second petition was received for the same purpose, with claims totaling seven thousand five hundred and fifty dollars, of which six hundred dollars were allowed. The road was finally ordered opened, May 5, 1870. On February 13th, the report and field notes of survey of the boundary line between

San Joaquin and Alameda Counties were submitted, approved and adopted; and, on May 3d, a special road and bridge fund was again created.

Early in the year the new Court House was completed, but its appearance, style, and discomfort, excited general complaint; for its embellishment, however, a new national flag was ordered on June 6, 1869. On July 7th we find the first petition for the creation of a Swamp and Tide Land District, under the Act approved March 23, 1868; on the 17th the Union County Convention was held in San Leandro, while the Democrats made no nominations; but an Independent party was formed and a ticket put in the field, headed by Edward Tompkins for State Senator. On the 1st of September the election was held, portions of both tickets being successful. For the office of County Recorder there was a tie vote between P. S. Marston and M. W. Levj, which, at a special election held on October 25th, was set at rest by the first-named gentleman being chosen. The Board of Supervisors elected were: A. C. Henry (Chairman), Oakland Township; Duncan Cameron, Brooklyn Township; Louis Fassking, Alameda Township; William Hayward, Eden Township; M. W. Dixon, Washington Township; Thomas Scott, Murray Township; who commenced their duties on October 4th. On the 2d November it was ordered that the county printing should be thereafter done by contract, such being awarded, on December 12th, to the *Oakland News, Transcript*, and *Alameda County Gazette* for one twelve-month, at one hundred dollars each yearly. On the 12th December E. L. Beard, for Swamp Land District No. 82, reported work commenced, in accordance with the Act, and made a demand for funds, when a warrant on the Swamp Land Fund for eleven hundred dollars was ordered to be issued.

1870.—Early in this year a bill was introduced in the Legislature providing for the building of a bridge over the estuary of the San Antonio, between Oakland and Alameda, but the people of Brooklyn, thinking that such would materially interfere with their commercial prosperity, strongly protested against its construction, to no avail, however, for the bridge was built and is now known as the Webster-street Bridge. Another scheme of the same nature was the introduction in the Legislature for an Act authorizing the construction of a bridge between Oakland and Brooklyn, for which plans and specifications were authorized to be called on March 14th. These, as prepared by W. F. Boardman, were adopted on the 2d of May, the county agreeing to pay fifteen thousand dollars in bonds, and the balance to be supplied from the Road Funds of Oakland and Brooklyn Townships. This action, however, was reconsidered on the 7th June, when all bids received in the matter of building were ordered to be rejected, and the Auditor directed to issue fifteen thousand dollars in bonds to the Road and Bridge Committee, who were empowered to commence the construction without delay, but under no circumstance was the expense to exceed the sum mentioned above. On July 1st the contract to supply piles and lumber therefor was let to Samuel Merritt, and on the 20th August the work was commenced under the superintendence of Roadmasters Thorne, of Brooklyn, and Hersey, of Oakland, who did the preliminary grading, cut down the hill on the Clinton side, and filled in the roadway with earth. It was not until the close of the year, however, that the work was completed.

It is always a pleasant task to chronicle tributes of praise to deserving public officials, as that which we here append. At the meeting of the Board, held February 7, 1870, the following preamble and resolutions were introduced by Supervisor Henry:—

"WHEREAS, I. A. Amerman, Esq., will retire from the office of County Clerk before this Board will meet again; therefore be it

"Resolved, By the Board of Supervisors of Alameda County, that we recognize in I. A. Amerman an honorable citizen, and one who has for the last four years discharged the duties of the office of County Clerk with fidelity and honor to the people and himself.

"Resolved, That a copy of the foregoing preamble and resolutions be spread upon the minutes of this Board."

Besides this eulogium, that gentleman was presented with a handsome gold watch, chain and key, by the clerks in the Court House, Deputy Recorder, A. A. Moore, making the presentation speech. A few days later Mr. Amerman received from the members of the bar a set of silver table ware, the offering being made by Lewis Shearer, Esq.

March 7, 1870, the official bond of the County Treasurer was increased to sixty thousand dollars; and, on March 14th, the Board of Supervisors entered an earnest protest against the attempt being made by the city of Oakland to remove the county seat, setting forth that it is wrong and detrimental to the best interests of the taxpayers of the county. Thus we see the commencement of that bitter feud that so long existed between Oakland and the country residents. On the same date the Board also condemned the "draw-bridge project," to be built by parties resident at Alameda Point and Oakland, and declared it against the interests of the citizens of the county. Copies of these resolutions were sent to the Legislature.

The proposition authorizing the Board of Supervisors of Alameda County to issue bonds for the construction of a new bridge between Brooklyn and Oakland, to the value of twenty thousand dollars, was approved March 12, 1870, and became law; while, on the 4th April, petitions were received from F. K. Shattuck for a franchise to build a wharf from the south half of Plat No. 59, Oakland; another from Ezekiel Brown for similar privileges at Berkeley Point, whence a ferry was to be run to San Francisco; and a third from William A. Bray, to construct railroads in Oakland and Brooklyn Townships. On the same date Adeline or Regent Street was declared a public thoroughfare from Twenty-second Street to San Pablo Road, Oakland.

On April 5, 1870, the Board of Supervisors declared themselves dissatisfied with the boundary lines of the county and called for a resurvey of the same "from junction of San Joaquin and Tuolumne Counties northwardly on the west line of San Joaquin County to the slough known as the Pescadero, and also to establish that portion of the boundary from the Pescadero Slough, westwardly, in a straight line, until it strikes the dividing ridge in the direction of the house of Joel Harlan in Amador Valley." This order was modified on June 7th, however, and Horace A. Higley was appointed Deputy Surveyor, by the Surveyor-General of California, to survey the boundary lines of the county of Alameda. He was directed first to establish the line between Alameda and San Joaquin, to be subsequently approved by the Surveyor-General, and afterwards erect monuments, execute maps for filing, etc., for which he was to receive one thousand dollars in county scrip. These duties being completed he received his warrant September 9, 1870, and on the 11th November the Board of Supervisors of San Joaquin County were notified that the boundary line established by Mr. Higley was that recognized as the true one by Alameda County.



M. W. Dixon

On May 2, 1870, Hiram Tubbs, J. West Martin, W. A. Bray, F. K. Shattuck, W. Van Voorhies, T. Le Roy, A. J. Snyder, George M. Blake, Harry Linden, and Allen J. Gladding, on petition, were allowed to lay down and operate for twenty-five years, a railroad from Fruit Vale to and upon Twelfth-street Bridge, Oakland; and one on Adeline Street to University Avenue. On the same date, B. F. Mann, Frederick Kapp, E. A. Haines, C. C. Webb, and S. Burpy *et al.*, were granted similar privileges from the boundary line between Alameda and Contra Costa Counties on San Pablo Road to Broadway, and thence to the water front of the City of Oakland; while, on July 1st, the same company were granted the right to operate a horse railroad, as follows: Commencing at Washington Corners; thence along the main county highway, through Centreville, Alvarado, and San Lorenzo to San Leandro; thence along the public highway to Fruit Vale Avenue in Brooklyn Township; and thence to connect with the contemplated railroad to San Pablo in Contra Costa County.

Under the provisions of the "Gopher and Squirrel Act," passed March 2, 1870, a special tax of one and a half cents on each one hundred dollars' worth of property, to be called the Bounty Fund, was ordered to be levied; while, another special levy of one cent, with the same conditions, was ordered in accordance with the Act approved March 8, 1870, to be known as "Interest Bridge Fund." On June 7th the County Recorder was authorized to re-record in the proper book the following maps: Kellersberger's Map of the City of Oakland; Map of town, of San Leandro, by H. A. Higley; and a map of Oakland showing the position of the property of Joseph Irving, deceased. At the same time the map of the ranchos of Vicente and Domingo Peralta were ordered to be framed.

On June 11, 1870, the articles of incorporation of the Decoto Land Company of Alameda County were filed in the office of the County Clerk of San Francisco; while, among other corporations connected with Alameda whose documents were filed in this year, were the Bay Spring Water Company, in the office of the Secretary of State, April 4th; the Berkeley and Oakland Water Works Company, in the office of the County Clerk of Alameda County, April 12th; and the articles of association, amalgamation and consolidation of the Central Pacific of California with the Western Pacific Railroad, under the name of the Central Pacific Railroad, in the office of the Secretary of State, June 23d.

On July 1, 1870, the petition of E. S. Moulton *et al.*, to build a wharf in Alameda, was received and the prayer granted; while, from the report of the Grand Jury for the September term of this year, we find that the balance in the treasury vault on the 23d of that month was twelve thousand nine hundred and fourteen dollars; and the assessed value of the real and personal property in the county was eleven millions seven hundred and eighty-six thousand three hundred and eighty-one dollars; the amount of tax levied for the year 1870 being two hundred and fifty-five thousand seven hundred and sixty-four dollars and forty-eight cents.

On October 3, 1870, the new Board of Supervisors took their seats and comprised: F. K. Shattuck (Chairman), Oakland Township; R. S. Farrelly, Brooklyn Township; Louis Fassking, Alameda Township; W. J. Stratton, Eden Township; M. W. Dixon, Washington Township; Thomas Scott, Murray Township. Among their first duties was the appointment of a committee to obtain plans and specifica-

tions for a draw-bridge across the Alameda Creek, near Alvarado, and to order the Road Commissioners of Eden and Washington Townships to advertise for bids to build the same. On the 7th November, Mr. Burrell, to whom was granted the contract at eleven hundred and ninety dollars, invited examination of the work, and for this purpose the Board appointed a committee, who, on January 9, 1871, reported that the building of the bridge was not in accordance with the plans and specifications, and recommended its rejection. Upon this the contractor was granted thirty days' extension of time wherein to complete the work, and on the 2d February was allowed one thousand dollars on account, while John Caddy was appointed to inspect and report upon the work March 3d. Mr. Burrell demanded a settlement in full, but this the Board refused on the plea that the bridge had not been made in accordance with the plans adopted by them, but on the 11th the Supervisors agree to examine the structure, evidently it was found to be unsatisfactory, however, for we find, under date March 20, that the Road Commissioners of Washington Township were required to put the bridge in proper order to subserve the purposes for which it was intended, that official, on April 14th, reporting its completion by B. F. Ingalls at a cost of four hundred and ninety-nine dollars and ninety-nine cents.

The certificate of incorporation of the San José Mission Land Company was filed, October 13th; and, on the 17th, the fifteen thousand dollars' worth of bonds issued on account of the Twelfth-street Bridge was reported as exhausted and the work unfinished; whereupon the Board ordered the issuance of three thousand dollars additional bonds to complete the work. A committee appointed for this purpose, December 5th, report all bills paid, and after selling the last-mentioned bonds at par, held a cash balance of four hundred and ninety dollars and forty-nine cents.

The population of Alameda County, according to the census of 1870 is given at twenty-five thousand, seven hundred and thirty-seven.

1871.—It is said the year 1871 was remarkable in Alameda County for its homicides, criminal calendar, educational enterprises, and short crops.

On January 2d, Judge Nye, in his charge to the Grand Jury, dealt roughly with the California Legislature for passing an Act in opposition to the spirit of the Constitution of the State, permitting the Mercantile Library Lottery in San Francisco. He declared, that, without exaggeration, no single Legislative Act in the history of the State had been so baneful to society, and urged upon them to indict any parties getting up lotteries or raffles in the county, several of which were known to be in progress. This Grand Jury reported that they had found twelve true bills out of the seventeen cases examined; while, an order was issued which transferred the famous case of Laura D. Fair, tried for the murder of A. P. Crittenden, in the month of October of the previous year, to the Third District Court. It will be remembered that Mrs. Fair shot Crittenden on the Oakland Ferry Boat after she had left the wharf, which as we all know, juts for a great distance into the bay; consequently a doubt arose in which county the crime was committed, and upon the survey of Surveyor-General Bost it was found that the offense took place outside of the boundaries of Alameda County, therefore it became necessary to transfer the case to San Francisco.

William C. Blackwood and William Meek, two of the chief taxpayers in the

county, on January 30, 1871, entered suit in the Third District Court against County Treasurer McClure, to recover the amount of State and county taxes paid under protest by them, claiming, among other things, that the assessment roll was made by Edwin Hunt, who was not County Assessor, and who was not authorized by law to make such assessment. On the 6th February the District Attorney requested the Board of Supervisors to supply him with assistance in defending the suits, when Hon. John W. Dwinelle was employed. These were cases of great interest and moment to the county, and as a decision of the suits was not likely to be reached for some months, and as the legality of the assessment for the current fiscal year was involved, Mr. Dwinelle consulted Attorney-General Hamilton, who brought an action of *quo warranto* against Edwin Hunt, the acting County Assessor, charging him with usurpation of office, setting out all the facts, including Mr. Hunt's election. A demurrer was entered by Mr. Dwinelle, the case argued in the Fourth District Court, before Judge Morrison, and a decision in Mr. Hunt's favor recorded. The case was appealed. On February 13th, it was resolved by the Board of Supervisors, "That it is expedient that proceedings be instituted to procure a speedy decision by the Supreme Court as to the rightful authority by which the assessment of State and county taxes can be made in the county of Alameda." It came on before that tribunal, who affirmed Judge Morrison's decision, and it was decided that the office of County Assessor of Alameda County is a county office; that Edwin Hunt was lawfully elected and was last year, and was then, lawfully in office.

On March 6, 1871, the boundary line between Eden and Washington Townships was rectified as follows: "Commencing at the junction of North and Alameda Creeks; thence running up said North Creek to the mouth of Mathewson Ditch, so called; thence up said ditch to its intersection with the Mountain Road; thence following the line of said ditch produced to its intersection with the old township line at a point on the lands of Andrew Patterson; thence following the old township line between Eden and Washington Townships easterly to the corner of Washington, Murray, and Eden Townships."

Under the Act approved April 4, 1870, the Board of Supervisors authorized the building of the drawbridge at the foot of Webster Street, Oakland, the cost not to exceed forty-five thousand dollars, to be borne equally by the city of Oakland and township of Alameda, for which purpose, at this meeting, under the report of the Commissioners, a tax of three dollars and eighty cents on one hundred dollars of assessed property in Alameda Township was also levied. To this levy there was, however, some objection, and to test its validity suit was brought against the Board of Supervisors by Thomas A. Smith, in whose favor Justice McKee decided, on the ground that the levy was in excess of the amount authorized by the Act, and therefore void. The Board therefore ordered another levy of three dollars and sixty cents on each one hundred dollars' worth of taxable property. On March 20th, the Oakland Gas Light Company asked for further privilege to lay pipes across the Twelfth-street Bridge, while, on the 10th April, E. L. Beard was paid seven thousand three hundred and twenty-one dollars on account of work done in Swamp Land District No. 82, from May, 1870 to May, 1871. On May 9th, the deed of J. S. Emery's rock quarry was made by that gentleman to Road Commissioner Hersey, of Oakland Township, and his succes-

sors in office, which was duly accepted and ordered recorded, the rock from the quarry being directed to be used in the macadamizing of roads in Oakland Township. On June 12th, bonds were ordered to be issued to the amount of two thousand dollars for the purpose of completing the Twelfth-street Bridge, in accordance with the Act approved March 12, 1870, said bonds to be issued "out of the Oakland and San Leandro Bridge Fund." This order was amended, however, August 25th, by omitting these words. On the 2d October, the repairs were reported as nearly completed; but these matters would appear to have rested for a time, for we find on the 6th November the attention of the Supervisors being called to its unfinished condition. On August 25th, two thousand dollars from the Special Road and Bridge Fund was directed to be set apart for constructing a bridge over the Arroyo de Laguna, in Murray Township, for which the plans and specifications were adopted on September 18th, and the contract awarded to E. Dole, who reported its completion at a cost of two thousand eight hundred dollars, on the 13th November. Eight hundred dollars of this sum was contributed by private individuals, the balance being paid by warrants on the county treasury. On the 18th September, another sum of one thousand seven hundred and five dollars was paid from the Swamp Land Fund to E. L. Beard for work performed between the 15th July and 15th September.

At the election of September 6, 1871, for Congressional, State, County, and Township officers, Newton Booth received a majority in Alameda of nine hundred and eighteen votes, a result which gave great pleasure to his adherents, more especially as it was thought that his opponent, Governor Haight, was almost certain of re-election. On the 2d October the new Board of Supervisors, composed of the following gentlemen, took their seats: F. K. Shattuck (Chairman), Oakland Township; W. B. Clement, Alameda Township; Isham Case, Brooklyn Township; J. B. Marlin, Eden Township; H. Overacker, Washington Township, Joshua A. Neal, Murray Township; and at once entered upon their duties.

1872.—The chief object of interest in this year was the question of the removal of the county seat. The first gun was fired on February 6th, when Supervisor Marlin introduced a resolution on the subject which was "simply received and filed." The Legislature was in session at this time, and there the city of Oakland, which was represented in the Senate by Hon. Ed. Tompkins, and in the Assembly by Doctor Pardee, felt that a better fight could be made than in the year 1870, when the matter was last contested. But the honor was not by any means to go undisputed, for the citizens, outside of Oakland, were all on the side of the residents of Eden Township, who wished the prize for San Leandro. This contest has been so fully described by different writers that we reproduce one of these: "Assemblyman Crane took up the cause for his country constituents; the Board of Supervisors, excepting the Oakland delegate, were a unit in favor of San Leandro; an able delegation, consisting of Hon. I. A. Amerman and John Nugent, watched over their interests at Sacramento, where they had the support of some of the ablest men on both sides of either house. On one side the cry raised was convenience, and, on the other, cost. The Oakland people maintained that they supplied the greater part of the business transacted at the county seat, which was nine miles distant from them. There were

the principal lawyers and professional men, the banks and real estate agents of the county. The Edenites maintained that San Leandro was more central; that it was accessible and convenient for all parts of the county, and was served by two railroads; that the county was in possession of a valuable piece of property, which was donated to it by the Estudillo family, which would revert to the original owners in case of disuse of the purpose for which it was granted; that county offices, a Court House, and jail, sufficient for the wants of the county, were already erected; and that removal would entail great expense on the people for new county buildings and grounds upon which to erect them.

The Oaklanders met some of these objections by showing that the upper portion of the City Hall could be used for years yet to come for county offices; that a fire-proof Hall of Records could be built on the city property adjoining the City Hall; or, in case of failure in this, the two city plazas, consisting of two town blocks in the lower part of the city, on Broadway, could be secured for the purpose of county buildings.

Oakland had a committee, or an association, established, called the Citizens' Union, which directed the agitation in favor of removal, and of which Harry Linden was agent. A petition was prepared and names sought for it all over the county, and active steps taken for legislative action. This aroused the Eden people, who also held meetings and organized. Their first public meeting was held in the Court House, San Leandro, on January 10, 1872. It was addressed by I. A. Amerman and John Nugent, of Eden; R. S. Farrelly and A. H. Griffith, of Brooklyn; and J. R. Palmer, of Murray. A committee was appointed to report a plan of action and resolutions, consisting of County Judge Nye and four of the gentlemen already mentioned. The following resolutions were adopted:—

WHEREAS, Certain people in the city of Oakland are endeavoring to remove the county seat of Alameda County from its present central location to the city of Oakland; and

WHEREAS, Said removal is contrary to the wishes of a large majority of the tax-payers of Alameda County; therefore, be it

Resolved, That our Senator and members of Assembly be, and they are hereby earnestly requested to delay any action upon the petition for the removal of the county seat until they receive a remonstrance of the tax-payers who are opposed to such removal.

Resolved, That a copy of the above proceedings be forwarded to the Senator and members of Assembly of Alameda County, duly certified by the Chairman and Secretary.

A committee, having a representative in every school district in the county, was appointed to procure names to a remonstrance, which, in due time, was forwarded to Sacramento, largely signed.

Mr. Amerman, having been commissioned to go to Sacramento to watch legislation and defeat action there, immediately after his arrival addressed a communication to Senator Tompkins, in which he put to that gentleman six leading questions touching removal. Mr. A.'s communication was dated the 17th of January, and the Senator's answer came promptly on the 18th, and in which he took strong ground favorable to the Oakland agitation.

Then followed a public meeting in Brayton Hall, Oakland, on the 24th of January, at which the following preamble and resolutions were adopted:—

WHEREAS, It has become necessary for the accommodation of a large majority of the citizens of Alameda County, that the county seat of said county should be removed to the city of Oakland, and a petition of the voters of said county has been presented to the Legislature of the State asking the passage of a law authorizing such removal; and

WHEREAS, Objections to said removal are being made by some, on the ground that a heavy debt would be incurred by such removal, in the purchase of land and the erection of the necessary buildings for county purposes; it is therefore

Resolved, By the citizens of Oakland, that the second story of the City Hall shall be finished at the expense of the city, and partitioned into suitable rooms for the District Court, the County and Probate Courts, the Sheriff, the District Attorney, the grand jury, the petit jury, the County Surveyor, and the Judge's chambers, and that rooms shall be provided on the first floor of said hall for the Board of Supervisors and the Superintendent of Public Schools, and in the basement of said hall, if required, room sufficient for a jail. And that the city will also dedicate to the county a lot of land, parcel of the City Hall lot, situated in the southwest corner of the same, fifty feet wide, on Fourteenth Street, by one hundred feet in depth, for the purpose of erecting a Hall of Records for the use of the County Recorder, County Clerk and County Treasurer. And that the use and control of said rooms and said land shall be vested in the Board of Supervisors of Alameda County, for so long a time as said Board may use and occupy them for the purposes aforesaid.

Resolved, That the Secretary of this meeting transmit to our Senator and Representatives, and to the City Council, a copy of these resolutions.

Messrs. F. K. Shattuck, E. C. Sessions, John Benton, and Dr. Samuel Merritt were appointed to see that the matter was brought before the Legislature.

At a meeting of the City Council, held on the 29th of January, a bill was presented and adopted, which was sent to the Hon. Mr. Tompkins for introduction in the Senate.

The bill provided for an election to determine the future location of the county seat—San Leandro or Oakland.

In case of the success of the latter, the City Hall of Oakland was to be fitted up for the use of the county officers; the basement of the same given up for a jail; and furthermore, a piece of ground, fifty feet front by one hundred and fifty feet in depth, granted on Fourteenth Street, for the purpose of building a fire-proof Hall of Records thereon; and bonds issued for the purpose of erecting the necessary buildings thereupon. The bill provided that the removal should be at the expense of the county; but the rooms in the City Hall were to be fitted up at the expense of the city of Oakland.

Tuesday, the 17th of February, was the day fixed for the discussion of the bill in the Senate. The bill was read by the Clerk, Mr. Ferrall, in a distinct voice, after which Senator Tompkins rose and offered a series of amendments, meeting some of the objections that had been raised to the bill; among which was one providing for the use of the plazas on Broadway for county purposes, and another making the city of Oakland liable for the election expenses in case of a defeat at the polls. His argument was strong, plausible, and persuasive. In his masterly manner he portrayed the justice of his cause and delivered an exceeding able argument. No one in that Senate chamber knew better how. It had all the facts and figures of the case to perfection, and placed them in a manner best calculated to enforce his opinions. Oakland was fortunate in possessing so able an advocate. He was one of the most brilliant men that ever shone in a California Legislature, and in point of ability and effectiveness was superior to every man there. Not a point was lost, not an advantage left untouched. All he wanted was a vote on the question. Nothing was fairer than that the will of the majority should be respected and their demands granted.

Senator Pendergast, of Napa, was expected to reply. The San Leandro lobby depended upon him. He was considered, next to Alameda's Senator, the most eloquent man in the Senate. But no reply came from him. Senator Larkin, of El Dorado, objected to the bill because it was a species of special legislation, while there was a general law to cover the case. In Senator Farley, of Amador, however, the Edenites found their strongest champion. He espoused their cause warmly, and he was a power. He was Chairman *pro tem.* of the Senate, and the leader of the Democrats in that House. He referred to the remonstrance that had been presented against the bill, which, he said, contained five hundred more names than the petition in favor of it. The Board of Supervisors of the county, he said, were all opposed to it, with one exception, and had officially so declared; he showed that the townships represented by the Supervisors contained thirteen thousand one hundred and thirty-three inhabitants, while the population of the city of Oakland was but eleven thousand one hundred and four. He maintained that there were facts to show that the county seat was best situated where it then was, to serve a majority of the people of the county. He had seen so many discreditable proceedings in connection with county seat removals that he was cautious in such matters. Senators Maclay, of Santa Clara, and Minis, of Yolo, followed on the same side, and Mr. Tompkins had to reply to them all; and this he did ably and clearly, meeting their objections in the most forcible manner. But there was an asperity in his manner and a bitterness in his tone that was unpleasant.

The bill was ordered engrossed by a majority of *one*, there being nineteen for, to eighteen against it.

On the 28th of February the vote on the passage of the bill was taken, when there appeared a majority of one against it, Senator Goodale, of Contra Costa, having reversed his former vote. The vote to reconsider, next day, stood nineteen for, to seventeen against.

There was rejoicing throughout the county precincts, and the San Leandroans received their lobby back from Sacramento with bon-fires, music, and the ringing of bells, followed by a public ball. But the contest was not yet over. On the 20th of March Assemblyman Pardee gave notice that he would introduce a new bill in his House in reference to the subject, but it was not necessary that he should, for the revised Codes provided the means for ending all such disputes, and of these the people of Oakland subsequently availed themselves.

At a meeting of the Board of Supervisors, on September 24th, a petition was presented to that body praying the Board to order an election for the purpose of allowing the citizens of the county to vote on the question of change of location of the county seat. W. W. Foote and William Van Voorhies appeared on behalf of the petitioners and R. B. Moyes and A. H. Griffith opposing the same. The petition was accompanied by the affidavit of Harry Linden as to the signatures upon the petition being those of qualified electors of the county, and also by the certificate of the County Clerk as to the number of votes cast at the last Gubernatorial election. Messrs. Moyes and Griffith opposed the petition upon the ground that the county seat had already been once removed, thereby making it necessary that two-thirds of the voters upon the Great Register should sign a petition for removal of the

county seat, and Joseph DuMont was sworn and testified that the county seat was formerly located in Alvarado, and was removed from there some time in 1854. J. V. B. Goodrich and C. B. Reed were each sworn and testified as to the number of uncanceled names upon the Great Register, both setting the number down at five thousand.

The Board appeared to be dissatisfied as to all the names upon the petition being those of qualified electors, on motion, the petitioners were allowed to withdraw the petition, for the purpose of presenting the same at the next meeting, with the necessary proofs as to all the signatures being those of qualified electors. At a subsequent meeting of the Board of Supervisors, held on the 22d of October, Col. Harry Linden again presented the county seat removal petition, signed by over one-third of the voters at the last general election, one thousand seven hundred and seven names. W. W. Foote introduced Colonel Linden, who was sworn and testified that he obtained over fourteen hundred of the signatures on the petition. Richard Moyes asked Colonel Linden to point out the names he had obtained, which was done. John Coffee was sworn and testified that he had compared seventeen hundred and seven names on the petition with the Great Register, with the assistance of Mr. Collins and Mr. Knox. He could point out all the names as he had marked them. Mr. Collins was sworn and testified that he had assisted in comparing about one hundred names on the petition, and found them on the Great Register. J. V. B. Goodrich, County Clerk, was sworn and testified that the Great Register presented contained all the names of the voters of the county. He knew that at the last general election four thousand and sixty votes were cast. On examination of Mr. Moyes, he said there were five thousand seven hundred and fifty-four names on the Great Register. Mr. Foote said the petition was presented under section three thousand nine hundred and seventy-six of the Political Code, under which the petitioners demanded that the Supervisors should act. Mr. Knox was here sworn and testified that he had compared down to fifteen hundred and sixty-two of the names on the petition.

The question whether the county seat had been once removed by a popular vote was brought up. Judge Williams was sworn on this point. In 1855 or 1856, the election was held for the re-location of the county seat from Alvarado to San Leandro. There was no Board of Supervisors at that time, and the Court of Sessions called the election. The election resulted in the removal. The county became a county in 1853. The county seat remained at Alvarado until 1855. A popular vote was taken in that year, and it was in favor of San Leandro. Subsequently it was removed back to Alvarado. In accordance with an Act of the Legislature, after that, the county seat was again removed to San Leandro.

Supervisor Case moved that the petition be received and the election ordered. Mr. Moyes objected on the ground of unauthenticity of the names. Mr. Griffith argued against the motion. A writ of mandamus compelled the removal of the records from San Leandro to Alvarado. A similar case came up in Sutter County at that time, and the Supreme Court decided that the Courts of Record must be kept where they were prescribed by law. The District and County Court must be held at the county seat. The Legislature deemed it their duty to fix the place where the courts should be held. An election, called by this Board, would amount to nothing.



John M. English

An Act of the Legislature must be had. He claimed that the petition did not come up to the requirements. The county seat had been once removed; to remove it again it must be done in the manner prescribed by the Act. One-third of the votes of the Great Register was required. There are five thousand seven hundred and fifty-four names on the Great Register, and the petition contains but fourteen hundred and fifty-three.

At the meeting held on October 7th, W. W. Foote appeared before the Board and stated that the parties who had been at work comparing the names on the petition for the county seat removal had as yet only compared about eight or nine hundred names. He stated that in two weeks from then the petition would be presented; and, if the Board refused to grant the petition, proceedings would be instituted to compel the Board to do so. Mr. Moyes arose to speak on the question. Mr. Shattuck said it was unnecessary to say any more on the subject. He was satisfied that a majority of the Board would vote against the petition. John R. Glascock read a decision of the Supreme Court, in the case of Upham *vs.* The Supervisors of Sutter County, in support of the argument that the Supervisors have the power to order the election. Supervisor Case called upon the county's legal advisor for his opinion on the point as to whether the Board is required to grant an election upon the petition of one-third of the voters of the last general election. Mr. Moore said he did not think the present case came under three thousand nine hundred and eighty-five, but does properly come under section three thousand nine hundred and seventy-six. Mr. Moyes requested that Judge Nye's opinion be asked. Mr. Moore said it was proper for him to state that Judge Nye differed from him. Judge Nye was sent for and returned word that he thought it better for him not to give his opinion, as the matter might come before him judicially. A vote was taken, and the motion lost by the following vote: Neal, Overacker, Clement, Marlin, No; Chase, Shattuck, Yes. The petition was ordered on file.

The next step was to apply to the Supreme Court for a mandamus, which was done on the 12th of November, by Mr. Foote. The Court granted an alternative writ, returning on the following 19th. It commanded the Board of Supervisors to order an election or show cause for declining to do so. A demurrer was filed, and on the 19th of November the case was argued before Judge McKee, in the Third District Court; General Irvine of San Francisco and A. H. Griffith of San Lorenzo representing the Board, and William Van Voorhies of Oakland and W. W. Foote of San Francisco appearing for Linden. The Court sustained the demurrer, on the ground that Harry Linden was not the proper party to bring the action—he, in fact, having no more interest in the question than any other of the petitioners. The Court held that the suit should have been brought in the name of the people.

No further action was had in the matter during 1872; but, as will be seen hereafter, a new complication of the matter was in process by the annexation of the town of Brooklyn to the city of Oakland.

On February 12, 1872, the District Attorney was ordered to prepare and forward to the Legislature a bill authorizing the county to issue fifteen thousand dollars of ten-year bonds to be applied to the building of a bridge across Alameda Creek near Niles. On the 19th March, specifications and plans for the structure, to consist of

three spans of one hundred and thirty-three and one-third feet each, resting on stone or iron piers, all timber except the floor, to be preserved by the "Robins" process, were called for, which, May 5th, brought out a series of bids ranging from ten thousand two hundred and fifty to fourteen thousand nine hundred dollars. On the 11th of May the contract was awarded for a "Smith Truss" to the Pacific Bridge Company, at twelve thousand four hundred and ninety-six dollars, and the work at once proceeded. To meet this amount county bonds for fourteen thousand dollars were ordered to be issued; and on September 30, 1872, the bridge was reported completed and satisfactory, and the contractors paid.

Owing to the great destruction of roads and bridges, consequent upon the floods of the winter of 1871-72, the Road Commissioner of Washington Township issued certificates for labor and material expended in repairing, one thousand and six dollars in excess of the amount apportioned to that township, but the Board of Supervisors doubting its authority to allow such an outlay, on March 5th resolved to prepare an empowering bill for presentation to the Legislature for the purpose of absolving him from any responsibility in the matter.

In the month of February of this year the Central Pacific Railroad Company brought suit against the city and county of San Francisco, and the county of Alameda, and the city of Oakland, for the purpose of determining in which county their wharf was situated, and to what corporation they were justly compelled to pay taxes. This action brought about a considerable amount of discussion and the services of such eminent engineers as Surveyor-General Bost; S. J. Clarke (a member of the first California Legislature); Captain E. F. Rogers, of the Coast Survey; G. F. Allardt, chief engineer of the Tide Land Survey; Luis Castro, County Surveyor of Alameda; and Colonel Coffee, were called into requisition, it being finally arranged that the end of the wharf was in San Francisco County, which was competent to collect taxes from the company.

Under provisions of the Act approved February 1, 1872, entitled "An Act supplemental to and amendatory of an Act entitled an Act to authorize the construction of a swing or draw-bridge across the San Antonio Creek in the county of Alameda, approved April fourth, eighteen hundred and seventy," authorizing the issue of bonds of the county to the amount of thirteen thousand three hundred and forty-four dollars and sixty-six cents, payable as follows:—

On December 12, 1872, one bond for.....	\$1500.00
" " 1873 "	1000.00
" " 1874 "	1800.00
" " 1875 "	2000.00
" " 1876 "	2200.00
" " 1877 "	2400.00
" " 1878 "	1944.66*

Was directed by the Board, the payment to be made in gold coin of the United States, at ten per cent. per annum. On the same date, March 11, 1872, in response to a petition of citizens an election was ordered to be held at "Kelsey's Bowling Saloon," on Telegraph Avenue, Oakland, to decide as to the annexing of the following de-

*Opposite the last bond on the margin of the record is written in pencil, "Last bond is \$1844.66, (signed) E. C. Palmer."

scribed territory to the city of Oakland: "Bounded on the north by the line of division between plots ten and eleven on Julius Kellersberger's Map of the Rancho of Vicente and Domingo Peralta, filed in the office of the County Recorder, January 21, 1857, said line being produced in a straight line with itself westerly till it intersects the westerly boundary of the county of Alameda in the bay of San Francisco, and produced in like manner easterly beyond the easterly line of Webster Avenue until it intersects the small creek known as Cemetery Creek, which rises in the grounds of the Mountain View Cemetery Association and flows southwesterly to its junction with another creek rising east of said Webster Avenue on the east by said Cemetery Creek, and the other creek aforesaid below their junction until they empty into Lake Merritt or Peralta, and thence southerly along the west shore line of the northwestern arm of said lake till the same intersects the northerly line of the city of Oakland; on the south by said north line of said city, and on the west by the westerly line of said county of Alameda in the bay of San Francisco, to its point of intersection with the north line already described of the territory sought to be annexed." To effect this plan an election was held with the following result: In favor of annexation, seventy-nine votes, and against it, forty-two.

Under provisions of an Act approved March 7, 1872, the town of Alameda was incorporated, while San Leandro had similar honors conferred upon it, March 21, 1872.

On July 28th, the Republican party held a Convention at San Leandro, with the object of electing delegates to the Congressional Convention, at Sacramento, when, after a keen contest, Hon. Nathan Porter, of Alameda, was put forward as the choice of the Republicans of the county. Although Mr. Porter appeared to be the favorite at Sacramento, there was present an unseen influence that gave the nomination to Horace F. Page, of Placerville, who was put forward by the friends of the Central Pacific Railroad, and thus that company commenced to work what cannot but otherwise be a questionable influence upon the politics of California.

At the meeting of the Board of Supervisors held October 7, 1872, a petition was received from the citizens of the town of Brooklyn, praying to be annexed to the city of Oakland under provisions of the Act passed February 1, 1872, and requesting that an election be held to determine the question. The prayer was duly granted and an election called for October 21, 1872, when the following was the result: one hundred and eighty-six votes were in favor of annexation; seventy-three against it; while there was one rejected ballot. This scheme was mooted with the ultimate view of securing the county seat, for obtaining which there appeared to be a tacit understanding; there was also a feeling that a close union of the people on this side of the bay would be more likely to advance the improvement of the harbor facilities of San Antonio Creek in the eyes of the United States Congress, thus promoting the mercantile advantages and resources of the towns situated on the estuary. The opponents of the scheme, the minority, were those who saw a neglect of the interests of Brooklyn under a consolidated city government and squirmed at the ogre of increased taxation conjured up by themselves. The wisdom of the more far-seeing has since fully proved the sagacity of their views.

Then came Alameda with a like petition. Its prayer was granted, October 22,

1872, and, on the 9th November, the election to decide the question was held, when it was ascertained that there were only forty-seven votes in favor of annexation, and one hundred and forty-one against it; thus the township-town was permitted to retain its pristine glories.

On October 22, 1872, the Oakland and Alameda Railroad Company, assignee of H. F. Shepardson, *et al.*, was granted permission to lay their track upon the west side of the cross-road between the Webster-street Bridge and Euclid Street, and on the west side of Euclid Street, Alameda; while, on the same date, two additional bonds of five hundred dollars each were ordered to be issued to meet the remaining debt on the Niles Bridge.

Let us now glance at the financial state of the county as made by the Treasurer up to October 7, 1872:—

FUNDED DEBT.	
Oakland Bar Bonds.....	\$ 34,000 00
Oakland Bridge Bonds.....	20,000 00
Niles Bridge Bonds.....	15,000 00
Total.....	\$ 69,000 00
FLOATING DEBT.	
Registered Warrants.....	\$ 74,221 94
(Interest on entire debt 10 per cent. All registered warrants will be paid by January 1, 1873).....	
Value of property owned by county: Court House, buildings, and land.....	\$ 40,000 00
Infirmary buildings.....	6,000 00
Infirmary lands.....	6,000 00
Total.....	\$ 52,000 00
Cash in County Treasury.....	20,329 12
VALUE OF PROPERTY IN COUNTY.	
Real estate.....	\$24,738,246 00
Improvements.....	5,498,020 00
Personal property.....	6,748,655 00
Amount of money.....	341,675 00
Total.....	\$37,326,596 00
TAXES.	
Levied for 1872-73.....	\$ 327,618 62
Special tax in Alameda Township.....	2,015 10
Total.....	\$ 329,633 72

On November 11, 1872, the Board of Supervisors passed the following resolution, which speaks for itself:—

WHEREAS, Mr. F. K. Shattuck, now and for many years a member and Chairman of this Board, is now about to retire from his duties in this Board,

Resolved, That we do now extend to Mr. Shattuck the thanks of this Board for the able, untiring, and energetic manner in which he has for so long a time discharged his duties among us, and the cordial and uniform kindness and correctness which has always characterized his conduct as a Supervisor and Chairman of this Board.

On November 14, 1872, Alameda County lost one of its brightest ornaments and most efficient public servants in the person of Hon. Edward Tompkins. Senator

Tompkins was distinguished alike for his vast learning as he was for his oratorical gifts, and when the Fell Reaper gathered him to his sheaf he was in the zenith of his fame.

The new Board of Supervisors, composed of W. B. Clement, Alameda Township; Isham Case, Brooklyn Township; J. B. Marlin, Eden Township; J. A. Neal, Murray Township; E. Bigelow, Oakland Township; H. Overacker, Washington Township, took their seats and elected Mr. Case Chairman of their meetings. They at once set apart ten per cent. of the Road Fund for the Special Road and Bridge Fund, as heretofore, the township of Alameda being excepted from the above; and, on the 30th, ordered that the rate of riding and driving across bridges should be restricted to a walk, and that the number of horses and cattle driven over a bridge at one time should be limited to fifteen.

1873.—Once more have we the county seat controversy, which was re-opened at a meeting of the Supervisors held February 3, 1873, when W. W. Foote and Col. Harry Linden appeared before the Board with the request that a new election be ordered, the gallant Colonel and R. G. Knox giving testimony in regard to the names on the petition. Supervisor Bigelow moved that an election be ordered, which was seconded by Mr. Clement, but was declared lost by the following vote: Ayes—Bigelow, Clement, Case. Noes—Marlin, Neal, and Overacker. A vote that showed a change in the aspect of affairs, for both the Supervisors from Brooklyn and Alameda Townships had changed their colors. It is thought that the reason for this lay in the hope that the Brooklyn portion of the city of Oakland would be chosen as the locality in which the Court House and public offices would be built.

Notwithstanding this last rebuff dealt by the Supervisors, Mr. Foote procured from the Supreme Court an order commanding the Board to call an election, a charge which they could not ignore after a certified copy of the order of the Supreme Court directing a peremptory writ of mandate in the matter of the county seat removal had been served on the Chairman by Mr. Foote, on the 17th of February. It was thereupon moved that an election be called for Saturday, March 29, 1873, and that the Clerk be directed to give the proper order, all the members of the Board, save Supervisor Marlin, who was absent, voting in the affirmative. The following proclamation was subsequently promulgated:—

STATE OF CALIFORNIA,
COUNTY OF ALAMEDA. }

A petition having been heretofore presented to the Board of Supervisors of the county of Alameda, signed by more than thirteen hundred and fifty-five qualified electors of said county, praying the Board of Supervisors to order an election, to be held to determine the question of removing the county seat of Alameda County from the place where it is now fixed by law, and to determine to what place it shall be removed. And it having been determined and established satisfactorily, and it appearing to the Board that said petition does contain the requisite number of names of qualified electors, and is in all respects in compliance and conformity with law, it is therefore ordered by the Board that a special election be held in the county of Alameda on Saturday, March 29, 1873, to determine whether or not the county seat of Alameda County shall be removed from the town of San Leandro, in Alameda County, the place where the same is at present located by law, and to what place the same shall be removed. Said election to be held and conducted, and the returns made in all respects in the manner prescribed by law for general elections in said county.

At such election each elector must vote for the place in the county of Alameda which he prefers as the seat of justice, plainly designating it in his ballot. And it is further ordered by the Board that, at such election the

election precincts, polling places, and officers of election of each precinct in said county shall be as follows: [Here follows the usual description of places constituting election precincts, polling places, officers of election, etc.]

By C. G. REED, *Deputy Clerk.*
San Leandro, February 25, 1873.

J. V. B. GOODRICH,
Clerk of the Board of Supervisors of Alameda County.

The morning of the day big with fate broke clear and bright; the sympathizers with the opposing factions were early afield, but, seeing that Brooklyn had come up in line with Oakland, the result was a foregone conclusion. Yet a good fight was made on the part of the Edenites. The result was a total ballot of three thousand five hundred and twenty-seven votes, divided as follows:—

Oakland.....	2,254	votes
San Leandro.....	1,180	"
Eight other towns in the county.....	88	"
Scattering and rejected.....	5	"
	3,527	votes

Thus giving the city of Oakland a majority of nine hundred and eighty-one votes.

We have said the fight was keen, if possible the preliminary skirmishes were more so. The San Leandrans hoped against hope, but slackened not in the combat; they had learned to believe that discord had found its way into the Oakland camp, chiefly on account of the choice of location, an idea they fostered with much solicitude, for there is no doubt that those favoring the City Hall scheme, and those partial to the plaza plan, upheld their rival claims with a good deal of bitterness, thus should any breach occur it would incline to the benefit of the old county seat. Brooklyn, also, was at fever heat, supported as she was by a large number of citizens, but, on account of a compromise with Oakland, who threatened to place "Oakland Township" on their ballots instead of "Oakland City," which latter included Brooklyn as well as the original section of the city, she put no ticket in the field. But, though the indications pointed to victory, nothing was certain, therefore a number of the citizens of Oakland proceeded to the Council Chamber and presented to the City Fathers the following resolution, which, on being read, was fully discussed, and the deputation assured that the Council had been promised, by prominent citizens, sufficient money to fulfill the promises made in the resolution:—

"That in case the people of the county vote for the removal of the county seat, the Council hereby tender the county the free use of the unoccupied portion of the City Hall, the same to be finished by the Council, within sixty days after notice by the Supervisors. And that whenever the Supervisors deem it expedient to erect buildings, the Council will then dedicate public squares on Broadway for county purposes. And, in the meantime, to secure the county records, the Council will cause to be erected a fire-proof building adjoining the City Hall, for the use of the county, free of charge. And that we are opposed to a division of the county."

Then was read the following petition signed by six hundred persons:—

TO THE HONORABLE THE CITY COUNCIL OF THE CITY OF OAKLAND—

We, the undersigned, residents and property-holders in the city of Oakland, respectfully ask that Your Honorable Body offer to the Board of Supervisors of Alameda County, for temporary county purposes, for such length of time as the said Board may deem proper to meet, the use of the City Hall of said city, and as much land immediately adjacent thereto belonging to said city, as may be required for the erection of such other buildings as may be found necessary to the proper and safe management of county affairs. Also, that Your Honorable Body offer to the said Board the two plazas fronting on Broadway, between Fourth and Fifth Streets, in said city, as permanent locations for such county buildings as said Board may in future see fit to erect thereon.

Contrary arguments now sprang up like mushrooms. It was said that the city had neither the power nor the authority to give away public squares which they held only for specific purposes; others declared that the completion of the City Hall would be of no benefit to any other place in the county save Oakland; while should it become necessary to build, the county could ill afford the construction of expensive buildings suitable to such a rising city. All these various topics were, however, of no avail. Oakland City became the county seat March 29, 1873. On the 5th of April, the Board of Supervisors paid a visit to Oakland to make choice of the three sites placed at their disposal, namely, the City Hall, the Broadway plazas, or Brooklyn (East Oakland) where Independence square, or failing that, a block of the Larue estate was signified for their acceptance. This duty having been performed by the Supervisors, who were escorted by several prominent citizens, among them being Mayor Spaulding, Councilman Ferris, ex-Supervisor Shattuck, Councilman Larue, Judge Glascock, etc., adjourned to hold their next meeting at San Leandro on the following Monday, when it was understood their choice should be determined upon. The matter was then taken up, when Councilman Larue, on behalf of the executors of the Larue estate, and the people of Brooklyn, handed in an offer donating for county purposes a certain block of land on Adams Avenue, numbered twenty-two on the map of the old town of San Antonio, and a tender of ten thousand dollars in coin, accompanied by properly executed bonds. Judge Glascock appeared on behalf of the City Council of Oakland, and read to the Board the resolutions offering to the county the use of the upper portion of the City Hall so long as they might require the same, and promising to place it in a fit condition for reception. The resolution also promised the erection of a fire-proof Hall of Records on the City Hall property, without charge, besides the donation of the plazas already noticed. He also stated that there were citizens present, who were willing to enter into bonds in the sum of fifty thousand dollars, guaranteeing that the offers would be faithfully performed. The care of the Brooklyn interests was in the hands of Leonidas E. Pratt of San Francisco, who belittled the gift from Oakland, and praised that which he represented, stating, that that city had no title to the plazas and no power to turn aside any city property from its original destiny. These statements over, the Chairman declared that they should now proceed to make a selection, but Mr. Bigelow, the Supervisor from Oakland, stated as his opinion that the subject was worthy of further consideration, and suggested that it remain over for one week. A resolution accepting the grant of the Larue estate in Brooklyn was next proposed by Supervisor Clement of Alameda and seconded by Marlin of Eden, and on being put to the vote, resulted in its adoption by a vote of six to one.

Here was a *contretemps*! Where Oakland wanted the county seat she was ignored; the Supervisors all, save Mr. Bigelow, the representative from that city, had voted that it should be located within a few hundred yards of the city's eastern limit, and one mile or more from the City Hall.

This decision gave the whole county, except the residents of Oakland, supreme satisfaction—their *bête noir* had been conquered. Yet this triumph was short-lived, but we may not anticipate.

As if to put further movement beyond the reach of Oakland, the Supervisors at

once advertised for plans and specifications for a Hall of Records, to cost ten thousand dollars, while temporary arrangements were made by the citizens of Brooklyn for the reception of the county officers and the archives.

On the 13th of April the Board met at San Leandro, when the matter of county seat removal once more came up. The Chair having made the announcement that the Board would now receive petitions, B. F. Ferris presented himself, and informed the meeting that he was Chairman of a special committee, deputed by the Council of the city of Oakland to wait upon the Board for the purpose of reading the following bond to them:—

Know all men by these presents, that we, the undersigned, undertake and promise, and hereby guarantee, that the City of Oakland will faithfully carry out all that is expressed and contained in the resolutions hereunto annexed.

RESOLUTIONS.

Resolved, That in case the people of the county of Alameda, at the approaching election, vote for the removal of the county seat from San Leandro to the city of Oakland, the City Council of the city of Oakland do hereby tender to the county of Alameda the free use of the unoccupied portion of the City Hall, the same to be finished by the City Council, so as to accommodate the county government, within sixty days after notice from the Board of Supervisors of their acceptance, for such time as the Supervisors of said county may desire; and that whenever the Board of Supervisors deem it expedient to erect buildings for county seat purposes, the City Council will cause, free of cost to said county, to be dedicated for such purposes, the public squares, situated upon Broadway in said city, usually known as Washington and Franklin Squares, and also known as the plazas; and in the meantime, and for the purpose of securing the public records, the City Council will cause to be erected, free of cost to said county, a good and sufficient fire-proof building upon a lot adjoining the City Hall for the use of the county, free of charge, so long as the county may desire the use of the same for said purposes.

B. F. FERRIS,
WM. H. GLASCOCK,
P. S. WILCOX,
JAMES DE FREMERY,
MACK WEBBER,

SAMUEL MERRITT,
JOHN SCOTT,
GUSTAVE TOUCHARD.
BENJAMIN AKERLY,
ISRAEL KNOX,

F. K. SHATTUCK,
A. C. HENRY,
F. WARNER,
HENRY DURANT,
HENRY RODGERS,

Attest: H. HILLEBRAND, *City Clerk*.

A resolution passed by the City Council April 13th, to build a Recorder's office, fire-proof throughout, free of expense to the county, and to cost not less than twenty thousand dollars, was also read by Mr. Ferris, while he, at the same time, presented the following petition from citizens of Washington Township:—

TO THE HONORABLE THE BOARD OF SUPERVISORS OF ALAMEDA COUNTY—

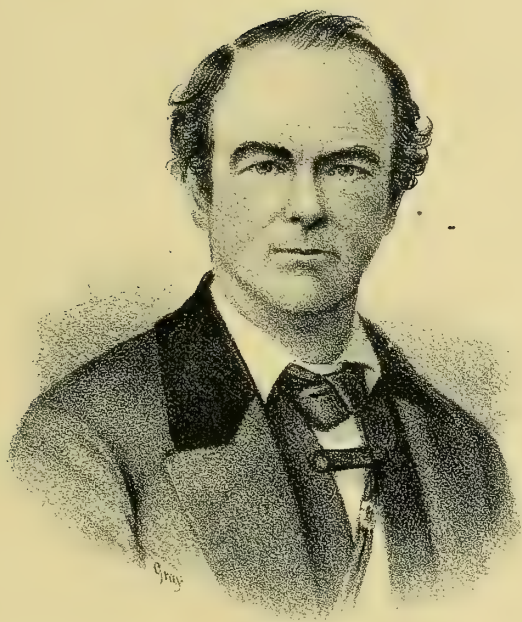
The undersigned citizens of Washington Township respectfully request that you will reconsider your action in locating the county seat of Alameda County on Block twenty-two, in the town of Brooklyn, for the reasons:—

- 1st. We believe that the location selected is not a desirable one.
- 2d. In our opinion it does not conform to the intentions of the majority as expressed in the recent election.
- 3d. We believe that it is not for the best interests of the county financially.

SAMUEL MARSTON,
H. CROWELL,
J. C. PALMER,
E. L. BEARD,
JOHN M. HORNER,
JOSEPH HIRSCH,
A. O. RIX,
EDWARD RIX,
EHRMAN & BACHMAN,
STEPHEN MURRAY,
N. BERGMAN,
C. W. T. BERGMAN,
J. L. LANG,
ALFRED K. HENRY,
ISAAC L. LANG,
MICHAEL ROGAN,

T. W. MILLARD,
H. M. HOLLAND,
M. SIGRIST,
LOUIS SIGRIST,
HENRY MULLER,
PETER WERRINGER,
J. J. STOKES,
O. P. TULLER,
GEO. W. COOK,
E. F. PALMER,
PLUTARCO VALLEJO,
JOSEPH HERBERT,
M. M. SMITH,
G. M. WALTERS,
W. H. MACK,
R. THRELFALL,

R. BLACOW,
W. BLACOW,
PETER CAMPBELL,
J. S. MARSTON,
LORENZO G. YATES,
R. B. HULL,
W. F. B. LYNCH,
JACOB SALZ,
S. SALZ,
JOSEPH HORNER,
JOHN LOWRIE,
W. J. EGGLESTON,
JOS. MCKEOWN,
AUGUST MAY,
AUGUST HEGER,



J. T. Walker

The Board of Supervisors ordered the documents presented by Councilman Ferris to be laid on the table.

Next came a communication from Mr. Estudillo stating to the Board that on December 30, 1854, a plot of land for a Court House site had been deeded by his family for so long a period as the county offices should be retained at San Leandro, but now that their removal was contemplated, he requested the Supervisors to execute a quit-claim deed for the land, a statement which was referred to the Judiciary Committee and the District Attorney. The next step taken was the opening of plans for a Hall of Records, those of S. C. Bugbee & Son being adopted on motion. But here a difficulty arose, for the County Auditor, Mr. Goodrich, questioned his right to issue warrants to pay for these plans, should they be adopted, and on the matter being referred to District Attorney Moore that officer gave it as his opinion, guided by a decision in a similar case in Monterey County, that the power to erect county buildings without first being authorized to do so by a tax levy, was not vested in the Board. The whole subject was then referred to the Committee on Ordinance and Judiciary, who were directed to report at the next meeting. This was held on the 20th of April, when they stated that the point of authority of the Board to direct payment of premiums for plans and specifications, etc., had been carefully considered by them, and they had arrived at the conclusion "that the Board had sufficient power under the law to order said payments, and it is its duty to do so;" therefore the plans of S. C. Bugbee & Son for the Hall of Records were adopted, the Clerk being ordered to advertise for building such, the bids to be received up till the 25th April. Bugbee & Son now presented a bill amounting to two hundred and fifty dollars for the plans, etc., which on being allowed, was handed to the Auditor, who refused its audit, thereupon, on ascertaining this action of Mr. Goodrich, Supervisor Clement moved that the Board employ counsel in the matter, for the Auditor was acting under the advice of the District Attorney. The motion was adopted. On April 25th George W. Babcock was awarded the contract to build a Hall of Records, the price to be eighteen thousand two hundred and forty dollars, while to superintend its construction, a Building Committee was appointed, but this movement was also doomed to failure, for on the 28th April, while in session, the Chairman and each member of the Board were served with a complaint made at the instance of Harry Linden, and an injunction granted by Samuel Bell McKee, Judge of the Third District Court, to restrain the Board from entering into any contract for the erection of any buildings for county purposes, or for the payment of any bills against the county for such purposes. The complaint was required to be answered within ten days.

This document, which was signed by Haight & Sawyer, attorneys for plaintiff, averred that the site selected by the Board of Supervisors was not within the city of Oakland; that the location was procured by the votes and influence of President Case, who was charged with being interested in the adjacent property; that the defendants had advertised for one week for proposals for the erection of a County Recorder's office upon said block, which would involve an expenditure of about eighteen thousand two hundred and forty dollars; that such expenditure would be an incumbrance upon the tax-payers of the county, and that no authority of law existed for the outlay; that the Board had not yet acquired a title to the

property, and that unless the Supervisors were restrained from proceeding with their proposed disbursement, great embarrassment would result to the tax-payers and to the county. It then wound up with a general prayer that the defendants might be enjoined from entering into any contract for the erection of a Hall of Records, or other county buildings, and that said injunction might be made perpetual.

Having each been served, as stated above, with the complaint the Board of Supervisors then adjourned.

While the injunction stayed the buildings being proceeded with on block twenty-two, it did not prevent the Brooklyn Joint Stock Company, who had purchased block twenty-one, from proceeding with the erection of a Court House and other public offices there, thus the intention of the decree was set at naught and Brooklyn fixed as the county seat, from which position it appeared as if nothing but an Act of the Legislature could oust it. The deed to block twenty-two was presented by the representatives of the Larue estate on the 20th May, which, on its being referred to the District Attorney, that officer reported favorably upon, June 10th, James Larue in the meantime tendering to the Board the use of a wooden building that stood upon block twenty-one for the use of the county, at the nominal rental of one dollar per month, the new Hall of Records being at the same time offered for seventy-five dollars a month, which propositions were duly accepted, and the District Attorney directed to draw up leases embodying the condition that the property would be rented by the county for one year, with the privilege of two—the leases to be vacated upon three months' notice of either party. The following resolution locating the county seat on block number twenty-one was adopted by the Board June 17, 1873:—

WHEREAS, This Board did heretofore, by resolution duly passed and entered, in pursuance of law, designate the city of Oakland, in the county of Alameda, State of California, as the county seat and seat of justice of said county, from and after the 25th day of June, A. D. 1873; now be it further resolved and ordered, that the wood and brick buildings erected and being finished upon Block twenty-one, of the late town of Brooklyn (now Oakland), in said county, together with the land upon which they stand, is, and shall be from and after said 25th day of June, 1873, and until the further order of this Board, the county seat and Court House of said county, and the abiding place of all the offices and records of said county.

The county jail was then located by the following order:—

It having been ordered by this Board that the seat of justice be, from June 25, 1873, at the city of Oakland, in this county, and it appearing to the Board that no adequate facilities exist in said city for the safe keeping and detention of prisoners and persons accused of crimes, it is resolved and so ordered that until the further order and action of this Board the jail of said county be and remain in the town of San Leandro, and as at present used.

Thus, after two years of vigorous conflict, was San Leandro deprived of her "capitolian crown;" but was Brooklyn to be allowed to continue in calm possession of her newly-earned honors? That was the question! It was hardly to be expected that the twice baffled citizens of Oakland proper would remain supinely indifferent while its late acquisition of Brooklyn bore away the trophy of victory. The war was to be maintained; the combat must be fought to the bitter end.

The archives were duly transferred to their new home on the 26th June, and then did the county officers take possession of the buildings located at what is now known as East Fourteenth Street and Twentieth Avenue. On the 5th of July

the Board of Supervisors held their first meeting there, and on the 7th the County Court had its first session. On the 15th a certain amount of doubt as to the action taken in accepting the deed of block twenty-two from the Larue estate was manifested, and gave cause for considerable discussion. It had been hinted that the title in fee simple still remained vested in the grantor, who, it was contended, in the event of the county not being able to build upon the land, would maintain his right to it; while, if the title was not vested in the county, any persons that might object to the erection of buildings thereon would have good cause for an injunction; and, should the fee simple of the land be vested in the county, on the other hand, and the county fail to erect buildings thereon, the ground would inevitably be lost to the estate of Larue. The matter was then laid over for further consideration.

Meanwhile the Board of Supervisors expectantly looked forward for the decision from the Supreme Court on an application for an injunction, as they were bent upon the erection of a jail on block twenty-two, and they had those against them who were unfavorable to the scheme and would not hesitate to make the most strenuous opposition. The Supreme Court delayed not in their judgment; the application was made on the 18th July, and on the 19th the decree was given to the public. Having stated its reasons for granting a temporary injunction, the Court goes on to say:—

Waving the question of whether the action is properly brought by the plaintiff and against the defendants, without making the county by name a party thereto, we are satisfied that the complaint states no cause of action. It is settled in this State that no order made by the Board of Supervisors is valid or binding unless it be legally chargeable to the county; and if claims not legally chargeable to the county are allowed, neither the allowance nor the warrants drawn therefor create any legal liabilities. [People *vs.* Supervisors of El Dorado County, 11 Cal., 170; Branch Turnpike Company *vs.* Supervisors of Yuba County, 13 Cal., 190; Trinity County *vs.* McCammon, 25 Cal., 117.]

If therefore it be true, as alleged, that no authority of law exists for the expenditure proposed, and neither the defendants nor the Board of Supervisors are authorized by law to make provision for the payment of any claim for or on account of the work proposed, it must follow, as a consequence, that by no legal possibility can the plaintiff or the other tax-payers of the county be injured by the supposed illegal acts of the defendants. The expenditure, if made, would, in that event, be no charge upon the plaintiff's property, and he has, therefore, no interest in the question presented. If illegal claims are allowed by the Board against the county, it will be the duty of the Auditor to refuse to draw warrants therefor; and if warrants are drawn it will then be the duty of the Treasurer to refuse to pay them. The presumption is that these officers will faithfully discharge their duty in the premises.

Order reversed; remittitur to issue forthwith.

We concur:

BELCHER, J.
WALLACE, C. J.
RHODES, J.

And now, with right on their side, the Supervisors commenced to advertise for plans and specifications for a fifty-thousand-dollar jail, offering a premium of three hundred dollars to the successful architect. On August 6th the tender of G. W. Babcock was accepted for building the proposed structure on block twenty-two for thirty-two thousand and sixty-six dollars, to be paid in county warrants; Mr. Larue, at the same meeting, presenting a new deed for that parcel of land, which was accepted and the erection proceeded with.

At this juncture the Civil Code providing for the division of counties into Supervisorial Districts, according to population, came into operation and gave Oakland

Township three Supervisors instead of one as heretofore, thus manifestly improving her position in voting on the vexed question of county seat removal. Yet the country members of the Board, who were all re-elected at the September election, stuck to each other as against their "common foe," and lively times were experienced within the walls of the Board-room. They held their first meeting on the 6th of October, when, after much heated discussion, Isham Case, of Brooklyn, was called to the Chair. Triumph number one for the Brooklynites! The vote went to show the feeling of the Board, it being the three members from Oakland as against the four from the non-metropolitan districts. Henceforward the fights at the Board were extremely bitter; hardly a question that came up but was hotly contested; meanwhile Brooklyn, or rather East Oakland, as it was then being generally called, retained the honors—but the end was not yet!!

Leaving this subject for the nonce, we will now proceed with the several other official actions connected with the year 1873.

A generous offer of two thousand young trees, to be planted on either side of the county road, between San Antonio and San Leandro, was made in the month of March to the Board of Supervisors by Henry S. Fitch, of Fitchburg, but it is not on record that any notice was taken of the tender, although the Board had in contemplation such an improvement.

On the 17th of June a committee was appointed to divide the county into Supervisor Districts, a duty that was reported completed on August 2d, as follows: First Supervisor District, Murray Township; Second Supervisor District, Washington Township; Third Supervisor District, Eden Township; Fourth Supervisor District, Alameda and Brooklyn Townships; Fifth Supervisor District, all that part of the city of Oakland in Oakland Township south of Tenth Street and east of Adeline Street; Sixth Supervisor District, to comprise all that part of the city of Oakland in Oakland Township north of Tenth Street and east of Adeline Street; Seventh Supervisor District, to comprise all that part of the city of Oakland west of Adeline Street, and all that part of Oakland Township outside of the limits of the city of Oakland.

On August 11, 1873, the Republican County Convention met at San Leandro under the presidency of George M. Pinney, when Charles Webb Howard, W. J. Gurnett, and I. A. Amerman, were nominated as State Senator and Members of Assembly; and on the 23d, a meeting of the Independent Reform Convention was held at the call of the Democratic County Committee at the same place, Doctor Beverly Cole being Chairman and J. M. Estudillo, Secretary of the Convention. The nominations made by this new party in county politics are curious as showing a fusion of the two opposing factions, and are here produced as an example of attempting to mix oil and water. The information is obtained from Mr. Halley's work: "Hon. Edward Gibbons, Independent, received the nomination for State Senator, and Hon. J. W. Dwinelle, Republican, and Hon. Daniel Inman, Democrat, both former representatives of the county, were nominated for Assembly. For Treasurer, Robert Farrelly was nominated by acclamation. Mr. Farrelly had been a candidate before the Republican Convention, having hitherto co-operated with that party; but by one of those mysterious political manœuvres, which sometimes surprise people, the nomina-

tion was snatched from him. This was believed to be done through the influence of a secret politico-religious organization, known as the 'Crescents,' which had a strong delegation in the Convention, and Mr. Farrelly felt free to accept the Independent nomination, which he did. Ellis E. Haynes, a Republican, was nominated for Sheriff; J. M. Estudillo, Democrat, for County Clerk; Eben C. Farley, Democrat, for Recorder; Henry Evers, Republican, for Auditor; W. W. Foote, Democrat, for District Attorney; Newton Ingram, Democrat, for Tax-Collector; Thomas W. Millard, Democrat, for Assessor; V. S. Northey, Independent, Commissioner of Highways; John Doherty, Democrat, Surveyor; Eugene Thurston, Democrat, for Superintendent of Schools; S. W. Mather, Republican, for Coroner; and Dr. W. P. Gibbons, Republican, for Public Administrator." At the election which took place on the 3d September, the entire Republican ticket was elected save for the offices of State Senator and County Treasurer, in which the Independents were successful, while the candidates for the positions of Coroner and Public Administrator were endorsed by both parties. The new Board of Supervisors, who took their seats on the 10th October, were: J. A. Neal, District No. 1; H. Overacker, District No. 2; J. B. Marlin, District No. 3; Isham Case, District No. 4; W. B. Hardy, District No. 5; P. S. Wilcox, District No. 6; F. K. Shattuck, District No. 7. This Board was elected for three years and by law were required to divide themselves as nearly as possible into three classes to hold for one, two, and three years respectively. The District Attorney gave it as his opinion that this could be done legally at any time within the first year after their election, whereupon a resolution to classify at once, as follows: two for one year, three for two years, and two for three years, was indefinitely postponed by a vote of four to three, following which, Supervisor Case was elected President of the Board for the ensuing year:

In this fall the People's Independent party was organized in California, with Governor Newton Booth at its head; and, at the judicial election held October 15th, Judge McKinstry was elected on the Independent Ticket, although Judge McKee, the Democratic nominee, had the greater majority in this county. At this election the candidature of G. E. Freeman and A. M. Church for the office of Justice of the Peace of Murray Township resulted in a tie, but, at a special election held on the 22d November, Mr. Church received the position by a plurality of forty-six votes.

On October 20th a franchise was granted to the San Francisco and Oakland Water Company to lay water-pipes along and across the main county road to San José and "in, through, along, and across any and every other public highway in the county" for the purpose of supplying the inhabitants of said county with pure, fresh water, conditional, among other things, upon water being furnished free for extinguishing fires, and at half rates or less for sprinkling purposes to the county.

On November 11, 1873, a resolution was introduced by Supervisor Marlin, that County Assessor Edwin Hunt be requested to resign his office on account of failure to discharge his duties, etc. It was so ordered and a committee appointed to investigate into the affairs of that department. It would appear that Mr. Hunt had been arrested on the 21st of October, under a charge of embezzling public funds, but the decision came to by Judge McKee, before the case came up for trial on December 2d, sustained the demurrer to the complaint on the ground that the provisions of the Political Code, authorizing Assessors of counties to collect poll-taxes were inapplicable to those officers who were elected before the adoption of the Code.

About the same time, Mr. Northey, who had been elected Commissioner of Highways, was refused, by the County Clerk, a certificate of election, on the ground that the office in this county was not authorized by law. On application to the Third District Court for a writ of mandate to compel the issuance of such certificate, Judge McKee decided against the existence of such an office.

On November 22d there died at the residence of his brother-in-law, James Beebe at Temescal, Colonel Harry Linden, a gentleman who had been politically prominent in Alameda County. Coming to California in 1850, he maintained his residence here for a long series of years. He was appointed Colonel on Governor Haight's staff; held the office of Public Administrator of the county, and for several years anterior to his death was Commissioner of the Third District Court. Not long before his death, he filled the position of member of the Board of Commissioners and Treasurer of the Deaf, Dumb, and Blind Institute. In this gentleman the Democratic party lost one of its most ardent supporters.

It would appear that on the 3d November it was resolved that when the Board of Supervisors meets on the same day as such, and as a Board of Directors of the County Infirmary, the allowance of six dollars per day shall be for said day only. It is therefore presumed that this sum was allowed in the first instance for more than one day, as, on the 24th, Supervisor Hardy notified the Board that he had placed the warrant issued to him in his favor for the bill allowed on the 3d November in the hands of the Clerk, and asked that he be allowed to withdraw it as he had ascertained that the same was incorrect. Thereupon, on motion, the bill of each member of the Board allowed at that date was referred to the District Attorney, who was requested to point out any error that might exist. This he did on the 23d December, and after an attempt to legalize their bills for the past year, on February 23, 1874, they decided to surrender the warrants previously issued to them, amounting to two thousand four hundred and seventy-seven dollars and eighty cents, and have issued in lieu thereof warrants for two thousand one hundred and fifty-nine dollars and eighty cents.

During the month of December a bill was introduced into the Legislature to change the sittings of the Supreme Court from Sacramento to Oakland, but to no avail; while, the Assessor's reports at the end of the year showed Alameda to have gained the proud position of being the chief rural county of California. Her assessment roll showed a value of thirty-five millions, one hundred and fifty-four thousand, and sixty-five dollars; her total State and county tax amounted to four hundred and thirteen thousand, three hundred and forty-four dollars and sixteen cents; while, her indebtedness was one hundred and eighty-six thousand, six hundred and twenty-five dollars and thirteen cents.

1874.—Chief among the events that transpired in the year 1874 were the steps taken by the Board of Supervisors of Alameda County towards the improvement of Oakland Harbor; and the completion of the third fight over the county seat.

On January 12, 1874, the following memorial to Congress in respect to the improvements of Oakland Harbor, was adopted by the Board of Supervisors:—

WHEREAS, It is now understood by your petitioners that an official survey has been made by officers of the United States for the purpose aforesaid, and that a plan is about to be reported by the Board of Supervisors of the Pacific Coast,

WHEREFORE, Your petitioners, on behalf of the citizens of Alameda County and of the city of Oakland, and

in view of the very important geographical location of the harbor of the city of Oakland, relative to the marine and land traffic and travel connecting the shores of Asia and Europe across the continent of America, and joining the Atlantic and Pacific seaboard of the United States, most respectfully ask that Your Honorable Bodies will be pleased to grant such an appropriation for the improvement of the harbor of Oakland, California, as may be recommended by the Board of Engineers of the Pacific Coast and endorsed by the Chief of Engineers of the United States Army. And further your petitioners will ever pray, etc.

Like memorials were transmitted by the City Council of Oakland, and the Board of Trustees of San Leandro, which culminated in the appropriation of one hundred thousand dollars for the commencement of the work. Its further progress will be found recorded in our history of the city of Oakland.

An attempt was made about this time to incorporate Berkeley as a town, but the farmers being unfavorably disposed to the scheme, it was not brought to full fruition. It was also attempted, by a bill introduced in the Legislature, to take a strip of land of about two miles from off the southern portion of Alameda County and annex it to that of Santa Clara, but this too failed; while, the Tide Land Commissioners had it on the *tapis* to dispose of a part of the tide land at the head of Lake Merritt, but this also failed on the passage of an Act ceding the territory in question to the city of Oakland.

It was in the Supreme Court that the county seat question made its reappearance in 1874. The manner of its resuscitation was in this wise. Upon George W. Babcock, the contractor for building the jail, making application to Auditor Goodrich for payment of his claim on that account, that officer declined to allow it, therefore the first-named gentleman applied to the Supreme Court for a peremptory writ of mandate to compel the County Auditor to allow his demand. The Court gave a decree in favor of Babcock, and thereafter a bill was passed by the Legislature, March 28, 1874, allowing him the sum of one thousand dollars and no more.

On February 4, 1874, "An Act to enable the Board of Supervisors of the County of Alameda to erect the county buildings of said county upon Washington and Franklin Plazas, in the city of Oakland," was approved, and is as follows:—

Section One.—Whenever so directed by a resolution passed by the City Council of the city of Oakland, at a regular meeting of said Council, the President and Clerk of the said Council shall execute, under the common seal of said city, and acknowledge grant from said city of the plazas situate in said city and known as Washington and Franklin Plazas, to the county of Alameda, for the purpose of erecting thereon a County Court House and other county buildings for said county.

Section Two.—Such grant, when so executed and acknowledged, shall be delivered to the President of the Board of Supervisors of said county, who shall cause it to be recorded in the Recorder's office. Upon the receipt of such grant the Board of Supervisors of said county shall have power to remove the county buildings of said county to said plazas, and to erect therein such county buildings as they may be authorized by law to construct.

Section Three.—In case such plazas shall be conveyed to the county of Alameda, as hereinbefore provided, and the same, or either of them, shall not be occupied by the county of Alameda for the purposes aforesaid, within four years from the delivery of such grant, the city of Oakland may have and maintain an action against the county of Alameda for a reconveyance to it of the property not thus occupied.

Section Four.—This Act shall take effect immediately.

This bill was brought to the attention of the Supervisors at their meeting held on the 11th February, when it was read; besides, a certified copy of a resolution passed by the City Council of Oakland, and a deed, duly signed, was presented by Mr. Shattuck, who moved that the conveyance be accepted, but it was adversely met by the "Big Four" from the rural districts, who stated that they were but the mouth-

pieces of their constituents, who were all inimical to the accepting of the proposition. Mr. Case, who, like the ill-fated Duke of Brunswick on the field of Quatre Bras, "rushed into the field, and foremost, fighting, fell," contended, with much warmth, that the lease was illegal, and that the change had been by no manner of means required by a majority of the people, he finally moving that the resolution be indefinitely postponed. Then ensued one of those conflicts of words that do not confer honor upon the august body charged with conducting the affairs of the county. The upshot of the whole was, however, that the unfailing four carried the motion of indefinite postponement against the voice of the usual three, and ended the matter so far as the Board of Supervisors was concerned, while Oakland had exhausted all her resources in that quarter.

Of the succeeding action, Mr. Halley, who has evidently given the question his closest attention, says, the Country Delegation at Sacramento could only be partially relied upon. Senator Gibbons had expressed no opinion on the matter, and had made no pledges in this regard when before the people of the county seeking election. He had, in fact, refused to commit himself, and had consequently met with opposition where he would otherwise have gained votes. He was an Oakland man, to be sure, but then he had the example of Senator Tompkins, who had incurred the hostility of the country people on account of his alleged special advocacy of Oakland, to warn him. Assemblyman Amerman, until the time of the removal to Brooklyn, had conducted the fight for San Leandro, and it could not be supposed that his support would be forthcoming. Mr. Gurnett, alone, of the three delegates, was the only man who could be relied upon to warmly espouse the cause of Oakland in the Legislature, and this, of course, he did.

Then there was the question—What could the Legislature legally do that had not already been done? Could it properly interfere in deciding what part of a town a Court House was to be located in? The matter, at any rate, was to be tested, as Oakland had already exhausted every other resource.

At a meeting of the City Council, held on the 16th February, Mayor Durant sent in a message in which he urged the Corporation to take the initiative in a movement for the division of the county, with a view to the erection of the city of Oakland and the adjoining townships into a separate county, to receive the name of Oakland. No action, however, was taken on this message, which no doubt was merely meant as a threat to be put in force under certain contingencies. With the aid of the daily papers, which had very warmly entered into the controversy in favor of the claims of the city, public opinion was aroused to action and the legislative remedy sought. The best legal opinion was obtained, and a bill drawn up to suit the emergency, at the instance of a committee having the matter in hand, called the Citizens' Union, which consisted of prominent property owners. By this bill, which was entitled: "An Act to provide for the erection of county buildings in the county of Alameda, and for the issuance of bonds therefor," the Board of Supervisors was directed to issue eight per cent. twenty years' bonds, to the amount of one hundred and fifty thousand dollars, to be redeemed by an annual tax, which raised one thousand dollars. The Governor was required to appoint five Commissioners, who were to have sole management of the money. They were to take possession of the Oakland



John Johnson

plazas and proceed to erect such county buildings as they might deem proper. They were authorized to complete the jail then erecting on Block twenty-two, if they saw fit. The bill contained many restrictions, and it was intended that the Supervisors should not have any control over it, or in any way defeat the progress of the work, even by resigning.

Doctor Gibbons introduced the bill without comment in the Senate, and it soon went before the Committee on Corporations. Both sides were advised, and, on the evening of March 3d, the matter was discussed. Supervisor Case, E. G. Mathews, and William Meek, were heard on behalf of the Supervisors; W. W. Foote followed as counsel for the city, speaking more than an hour. Then Senator Gibbons declared himself. He was in favor of the bill, but said he had offered a compromise to locate the county seat in the vicinity of Tubbs' Hotel, but the idea was not tolerated. Then followed a speech by Mr. Gurnett, before and after which there was a running cross-fire of assertions and contradictions from both sides.

It will be seen that so far Mr. Amerman had taken no part in this year's internecine warfare. The Sacramento correspondent of the *Oakland News*, Mr. Harwood, who took a very zealous part in the controversy, and may be said to have kept the life in it for the Oakland people, wrote very despondingly one day that Amerman would "oppose any legislation intended to break the ring in the Board of Supervisors," and this left the matter in not an altogether encouraging condition. The Chairman of the Committee on Corporations, too, was Senator Farley, who, two years before, had championed the cause of San Leandro in the Senate, in opposition to Senator Tompkins.

On the 5th of the month, the committee met again and heard further statements in reference to the matter. The Chairman said, on calling the committee to order, the question before them was whether they should take from the Board of Supervisors certain functions they were vested with by law; whether it was good policy in this case for them to do so. Supervisor Shattuck appeared and made a full statement of the existing troubles. He cited the example of San Francisco, where the erection of county buildings had been taken out of the hands of the Supervisors and vested in Commissioners. The subject of title to the plazas was discussed, when Mr. Shattuck stated how they were donated and what they were worth; and Senator Gibbons said the original owners of the town site, Hays and Caperton, had recognized the plazas as public property, and for twenty years they had been so considered. Mr. Gurnett read a letter from Judge Glascock, Attorney for Hays and Caperton, stating that he was authorized and would execute any kind of deed that was required. The Chairman asked what was the general sentiment of the people on the question. Shattuck replied that they denounced the action of the Supervisors. Senator Laine asked how the vote of the county would stand on the proposition, when Shattuck answered, "two to one." Case asked if the jail then building would be sacrificed; Shattuck then went into a statement of the building difficulty; showed how the Supervisors were elected for three years under the Code; how they had endeavored to obtain a classification of the Board as to years of service, and been defeated, and how, under a late decision of the Supreme Court, the Board could raise four hundred thousand dollars annually by taxation and put up fine buildings at the expense of the people. F. J. Clark of

Livermore, said those who voted for removal in Murray Township were in favor of the plaza proposition. Mr. Shattuck said, in Washington Township, many representative men were in favor of the Oakland plazas. Case said that the jail would be completed in thirty days. Senator Gibbons stated that he had received a letter from Samuel Marston, of Centreville, stating that a majority of the people of Washington Township favored the pending bill. Mr. Mathews read an article from the *Oakland News*, which stated that if the Brooklyn people would annex to Oakland, her plazas should be included in an offer to the county. Senator Gibbons replied to this that he had offered to compromise in favor of the plaza near Tubbs' Hotel, in Brooklyn, a most beautiful location, but Mr. Case paid no attention to the proposition. Case and Mathews said they would be very glad to give up the Court House and get back their town government, and be once more independent of Oakland. And here follows another pause in the controversy before the final and abrupt close of the protracted farce.

After this Mr. Harwood wrote to his paper that success was quite certain, if the bill was got through the Senate. Gurnett could get it easily through the Assembly whether Amerman opposed it or not. A day or two after there was suddenly a talk of compromise in favor of the Washington (Brooklyn) Plaza, near Tubbs' Hotel; then an open declaration that Case would agree to a compromise by which the jail would remain on block twenty-two, and the Court House be built near Tubbs' Hotel; and that Senator Gibbons was a party to the compromise. Then came a cry of "treason," and a declaration that Oakland was without a particle of public spirit. There was a sudden awakening, however, Senator Gibbon's course was criticised, and a public meeting called by "Many Tax-Payers" on Saturday evening, March 14th, in Brayton Hall, Oakland, whose rallying cry was "No Compromise!" Hon. Zach. Montgomery, on motion of Judge Ferris, was voted to the chair; W. D. Harwood and A. W. Bishop, the editors of the *News* and the *Transcript*, were appointed Secretaries. Then followed a long list of Vice-Presidents. Judge Ferris moved the first resolution instructing "our Senators and Members of Assembly to use their best endeavors to pass, without delay, the original bill in relation to the removal and location of the county buildings, and opposing their location elsewhere than upon the Broadway plazas." Senator Gibbons was called for, but was not forthcoming. Mr. Gaskill said he was at the Grand Central Hotel, and moved the appointment of a committee to wait upon him, where he was accordingly waited upon by Messrs. Gaskill, Wilcox, and E. Bigelow. They subsequently reported that they had seen the Senator, but he excused his non-attendance on the ground of illness. He admitted being a party to the compromise, and would not pledge himself to the removal to the plazas, as contingencies might arise that would influence him. Mr. Shattuck gave his version of the new development, with which he associated the name of A. A. Cohen. He said Senator Farley would report the bill on Monday, unless he received instructions to the contrary, and expressed the opinion that the people were opposed to any compromise. Judge Blake followed in a speech, wondering at the conduct of Senator Gibbons, and opposing a compromise. This was to allow the jail to remain on block twenty-two, and pay the Larue estate twelve thousand dollars for the land. Hon. R. C. Gaskill followed in a "ringing" speech, condemning the course of the Senator, and declaring

the Senate would pass the bill in spite of him. Supervisor Wilcox made a speech in which he described the horror of a "stench," and said he would prefer to have the county buildings back to San Leandro, or even Alvarado, than that they should remain where they were. He favored "no compromise." He accused the members of the Board of Supervisors of telegraphing each other with their thumbs, whenever a vote on this question was taken. Marlin had told him he would vote for the plazas, but when thumbs went up he "fell down." Mr. Foote accused some of the members of the Board with perjury, and spoke encouragingly of the bill. He believed Doctor Gibbons would withdraw his support from the compromise; he knew that Amerman, who was a prospective candidate for Congress, would not dare to oppose it; and Gurnett, he was sure, was in favor of it. The resolution was unanimously carried, and a committee of five appointed to go to Sacramento, to assist in the passage of the Senate bill. The proceedings concluded by taking up a subscription to defray expenses. The Secretaries were instructed to furnish the delegation with a copy of the resolution, and then the meeting adjourned, feeling that success would surely follow.

The meeting had its effect, and the result was an immediate surrender. The committee appointed proceeded to Sacramento on Sunday. They met at Amerman's apartments, and talked the matter over. It was stated that Case would not oppose the bill if the Commissioners were stricken out and the Supervisors allowed to erect the buildings. All but Judge Ferris agreed to this. Senator Gibbons said the bill should be so altered; it was the weak part of the bill, and the concession was a trifling one. Amerman said he had taken no part in the contest, but could not, as expected, champion block twenty-two. He favored the bill with the Commissioners stricken out. Gurnett did not care who did the work, so long as the buildings were placed on the plazas; so that the whole delegation were united, and the bill would go through both Houses without a word of dissent.

About midnight Case was called upon. He was not in favor of the bill in any shape, but as all Alameda County's representatives had united to pass it, as an officer of the law, he should obey. He would not do anything to obstruct the erection of the buildings, and as a Supervisor he would act in connection with all building operations on the Broadway plazas, just as if they were on the location of his first choice. The praise of Mr. Case, as a man of honor, who had made a gallant fight for his section and friends, then followed. He had never broken his promise nor violated his word, and all that remained to end this prolonged county-seat controversy—to finish this three years' local warfare—was the arrangement of the formalities. On the following Thursday, Senator Farley reported a substitute for the original bill. Gibbons moved a suspension of the rules, in order to consider the bill at once. Edgerton opposed it, and said he had been requested to oppose it, and wanted time to consider their reasons. Evans said the committee had heard both sides, and the substitute was the result. Gibbons explained; and on a call of ayes and noes there were thirteen noes to eighteen ayes, showing that the Brooklyn party were far from being without strength, even after this compromise was concluded; and it is doubtful, considering that this was within twelve days of the end of the session, if the fight had been kept up, the original bill could be carried through.

A few days after there was a hitch; some of the Brooklyn men—Larue and Cameron—having heard what was going on, proceeded to Sacramento and rather disjointed matters. Some new arrangement was effected, however, and the parties appeased, and on the 19th the bill passed the Senate unanimously and went to the Assembly. It provided for the issue of bonds to the amount of two hundred thousand, instead of one hundred and fifty thousand dollars as at first proposed, and allowed the deeding back to James Larue of block twenty-two should the county jail be removed. In case the jail should be completed on block twenty-two, the Supervisors were to pay Mr. Larue a reasonable compensation for the property. Mr. Larue, however, did not want the jail on his property, and simply asked for a return of the land, which of course could not be, and was refused. There were several Brooklyn gentlemen present, who did not relish the turn things had taken, as some of them had invested largely in the company to put up the temporary county buildings; and it was no wonder if they felt as if they had in some way been deceived.

The bill passed the Assembly on the 20th, and at four o'clock on the 25th it was signed by the Governor, and became a law. Until the very last there was some opposition to it, and there remained yet a dread that the majority of the Supervisors would carry on a hostility, or that the legality of the bill would be tested in the courts. Indeed, a slight move in this direction was made, but all opposition was soon abandoned. The jail building on block twenty-two was pulled down, and the material removed to Washington Plaza, where it was reconstructed. This little matter cost the county about twenty thousand dollars. As we have seen, a bill was passed through the Legislature allowing Mr. Babcock, the contractor, one thousand dollars for law expenses in his contest with the Auditor, who very injudiciously put the county to that and other outlays, in taking a position that the Judges made clear to him he had no right to take, in disputing an order of the Supervisors.

In looking over the whole of this protracted contest, the writer cannot help thinking that the greater part of the acrimony and passion that entered into it might have been avoided, and all that was desired accomplished by the use of conciliation and a clearer forecast. At the start the agitation for removal was consigned to the management of one man, who, however active and zealous, was not the proper person to conduct so delicate a business. Col. Harry Linden was suffering from ill-health, and was not able to use that argument of the manner which pleases, if it does not convince. Had only one of the outside townships been won, the battle was assured for Oakland. A respectable deputation from the city at the proper time would have done it, but, instead of persuasion, there was too much wordy warfare—too much assumption for conciliation. The Supervisors, however improper their conduct might have been, when violently attacked received the sympathy of their constituents and an opposition was constructed, so inflexible as nearly to conquer and endanger the decision of the county. That block twenty-two was not a desirable location no one will now pretend to maintain; but in it was centered the local pride of a spirited community, who believed that they were entitled, by an unwritten compact, to the county seat. Again, the southern section of the county, formerly the ruling portion of it, saw the seat of justice gradually slipping away from it—from Alvarado to San Leandro; from San Leandro to Brooklyn—and it was only natural that they should

resist its establishment on Broadway as an Oakland aggression and a centralization of power and advantages. But it is very doubtful if the location were open to disturbance to-morrow that the slightest effort would be made to effect another change.

Since the close of the contest two splendid structures, on either plaza, have been erected, which, notwithstanding some defects, are both ornaments to the city, and proud emblems of the importance of the county. It is hoped that by their cost, completeness, and convenience, an end is forever put to all further county seat agitations. The latter is an ordeal which every county in the land has had to pass through some time or the other. In our chapter on the Early History and Settlement of the County we have seen the trouble crop out here first in 1835, with our Mexican predecessors, who desired to see the seat of justice for this district removed from San Francisco to San José, where laws for the Contra Costa were first administered. When Contra Costa County was organized, in 1850, there appears to have been no trouble in effecting the location at Martinez, because Alameda was virtually without population, a location, or a champion; but when the creation of Alameda came there was the first bitter warfare between the northern and southern sides of the county. The south, by reason of its earlier settlement, was then the strongest and won. It had the population and the resources. The removal to San Leandro was an assertion of the growing power of the north; and the removal to Brooklyn was a piece of strategy that obtained its advantage from peculiar position and tact. The final transfer to Broadway, Oakland, was simply the evidence of cumulative power and the irresistible force of a rapidly augmenting business center, and a spirit that would brook no resistance and yield to no compromise. All the localities that have lost the boon of the county seat at various times, made gallant contests for its maintenance, and there is no just reflection to be indulged in now, only that they had to yield to the inevitable.

Perhaps the keenest contest ever had in Alameda County was that known as the "Local Option," a scheme which emanated from the State of Ohio, and was another form of a crusade against intemperance. It was the embodiment in one law of a plan to permit townships to determine by a popular vote where the vending of liquor should be licensed within them or not. It called forth the energies of all enemies to strong drink. Men and women, clergymen and laymen, public officers and unofficial persons all took part, and excitement ran at fever heat. On April 22, 1874, two hundred and seventy-six citizens of Washington Township petitioned the Board of Supervisors for a special election to vote upon the question of "License or No License," under the provisions of the Act approved March 18, 1874. The prayer was granted, and May 23d fixed as the date for holding such. Meanwhile the question assumed a prominent shape in other townships, and in due course of time elections were there held, with what result the following figures will explain:—

Township.	Date of Election.	For License.	Against License.
Alameda.....	July 2, 1874.	201	108
Brooklyn.....	June 6, 1874.	267	350
Eden.....	July 11, 1874.	305	244
Murray.....	June 27, 1874.	384	170
Oakland.....	May 30, 1874.	1,038	1,291
Washington.....	May 23, 1874.	184	167
Total.....		2,379	2,330

Showing a total of forty-nine in favor of "Licenses," this general result, however, not affecting the result in the separate townships, who had the right to exercise its own local option.

On June 29, 1874, W. H. Foye presented an estimate of the cost of applying the "Foye System" to the construction of the walls of the new Court House, placing his figures at five thousand nine hundred and ninety-one dollars and fifteen cents, which, July 6th, was adopted; while, on June 29th, the resignation of Supervisor Wilcox from the Board was accepted. On July 6th bids were opened for the purchase of fifty thousand dollars' worth of county building bonds, for which there were seven bidders. The offer of Charles Sutro, at 102 85-100 was accepted.

On July 13, 1874, the boundaries of Alameda Township were changed to read as follows: Beginning in the center of San Leandro Bay, thence northwesterly to the mouth of Brick Yard Slough; thence westerly up and along the middle of said slough to the center line of Washington Avenue; thence westerly along the center line of Washington Avenue to the westerly line of Park Avenue, at the bridge; thence northwesterly along the middle of Main Slough, emptying into the estuary of San Antonio, to said estuary; thence westerly along the main channel of said estuary to its mouth in San Francisco Bay; thence westerly in said bay, following the deepest water, to the western boundary line of Alameda County; thence southeasterly along said boundary line six and three-fourths miles, more or less, to an angle in the same, and due east one and a quarter miles, more or less, to an angle in the same; thence northerly to the most easterly extremity of Bay Farm; and thence northerly in a straight line to the place of beginning.

On the 3d of August Judge Nye appointed George C. Potter Supervisor for District Number 6, in the place of Captain Wilcox; while, on the same date, the Board of Supervisors was classified as follows: First—Two members to be elected at the next general election, in September, 1874. Second—Two members to be elected at the general election in 1875. Third—Three members to be elected at the general election in 1876. The Supervisors for the First and Sixth Districts were to be elected in 1874; those for the Second and Fifth in 1875; and those for the Third, Fourth, and Seventh Districts in 1876. The election being held on the 7th September, the new Board, consisting of James Beazell, District No. 1; H. Overacker, District No. 2; J. B. Marlin, District No. 3; Isham Case (Chairman), District No. 4; W. B. Hardy, District No. 5; O. H. Burnham (absent), District No. 6; F. K. Shattuck, District No. 7, took their seats on the 5th of October and commenced their labors.

On November 2, 1874, the boundary line between Murray and Washington Townships was changed to be as follows: Commencing at a point where the line between Murray and Washington Townships crosses the Alameda Creek, running thence up the Alameda Creek to the junction of the Alameda Creek and the Arroyo Laguna; thence up the Calaveras Creek to the Arroyo Honda; thence up the Arroyo Honda to a point where it intersects the boundary line between Alameda and Santa Clara Counties; thence following the said boundary line west to Monument Peak; thence in a southwesterly direction following the line between the two counties to the Bay of San Francisco.

During the year 1874 the elegant Court House, situated on Washington Square,

on the west side of Broadway, between Fourth and Fifth Streets, was constructed of wood, brick, stone, and iron, at a cost of upwards of two hundred thousand dollars. It is a magnificent building, connected with which is a jail, complete in all its details, and a credit to the county.

1875.—The first item of official importance that may be mentioned for the year 1875, was the second appropriation of one hundred thousand dollars for the improvement of Oakland Harbor. This action of Congress was the signal for a general joy on the part of citizens, it being looked upon as an earnest of their intentions to proceed with the work to its completion. In the month of February, the Newark Land Association was incorporated with the object of building up a manufacturing town on the shores of the bay, in Washington Township. On the 15th of March, permission was granted to the Livermore Spring Water Company to lay down water pipes in the public highways in and about that town; and, on the 29th of the same month, the Sheriff was granted permission to have the prisoners photographed.

Under a new Road Law subdividing the original road districts into Road Revenue Districts and apportioning the Road Fund thereto, some trouble had arisen, for there were outstanding at the time of such subdivision warrants on the original districts for the payment of which no fund was provided. To meet this, May 3, 1875, Supervisor Burnham introduced a resolution, which was adopted, that all road moneys now in or that may come into the hands of the County Treasurer be apportioned to Oakland, Brooklyn, Eden, Washington, and Murray Townships, as the same were created by Act approved March 24, 1862, *et seg.*, and that the County Treasurer pay all the indebtedness of said districts for which warrants have been drawn, and apportion the overplus to the newly created sub-districts. June 8, 1875, was proclaimed by the Board as the date when the new Court House, etc., should be occupied by the county officers.

On June 11th the Republican County Convention was held in Oakland, the assembly being called to order by George M. Pinney, Chairman of the County Central Committee, and Thomas Eager, chosen temporary Chairman, A. W. Bishop, being Secretary. Confidence in the National Administration was declared, and appreciation of the services of Congressman Page was pronounced, while, delegates to the State Convention were appointed. This last was held in Sacramento, not long after, when Dr. Ezra S. Carr, received the nomination for the State Superintendency of Public Instruction, and F. K. Shattuck, for membership of the State Central Committee. On the 19th of the same month, the Democrats held a Primary Election in Oakland, when two tickets were placed in the field and the largest vote ever polled at a Democratic primary cast. The Democratic County Convention was held on the 26th when the best harmony did not exist, a result which brought about the defeat of the Oakland delegation, who found their path to glory firmly opposed by nearly all of the county delegates, and thus lost control of the Convention. The true bone of contention was for seats in the State Convention, for which the Hon. Phil. A. Roach of San Francisco was being boldly pushed by his Irish admirers, but though defeated, a majority of the delegation selected favored the nomination of that gentleman, at the State Convention, on the first ballot. The election which followed was the first for

many years in which the Democrats had been successful. The Convention met in Union Hall, San Francisco, on June 29th, but no one from Alameda County received a nomination, Dr. Carr being left out in the cold. In this month too, the Independent County Convention held their session in Oakland and declared their principles to be reform in the administration of public affairs, the correction of local abuses, opposition to monopolies and the reconciliation of the North and South. On June 22d the Convention met at Sacramento when their platform was adopted, and General John Bidwell, of Chico, nominated for Governor, there being no one from Alameda County placed on the ticket issued by them. The meetings of the Conventions for the nominations of legislative and county officers, were held as follows: That of the Democrats on July 24th, at the Academy of Music on Fifth Street, Oakland, with James Beazell, at its head as State Senator; the Independents met on the same day in the City Hall, and named Henry Robinson, of Alameda, for State Senator, endorsed M. W. Dixon (Democrat) of Washington Township, for the Assembly, and added the names of Walter Blair, of Oakland, and Joseph Taylor, of Murray. On the 2d of August the Republican Convention held their meeting in the Academy of Music, with one hundred and fifteen delegates. Their ticket had at its head, E. B. Mastick, of Alameda, for State Senator, but this gentleman subsequently declined the nomination, when James W. Shanklin was nominated in his stead, and Messrs. John L. Beard, of Centreville, A. T. Coville, of San Leandro, and J. V. B. Goodrich of Oakland, named for Members of Assembly.

The Board of Supervisors met in the new Court House for the first time for the transaction of public business on Monday, June 14, 1875; the first session of the Third District Court commenced there on the 21st of the same month, while the County Court met there for the first time on the 10th of July. On that day the Grand Jury made their report, and dealt thus severely with the completion of the new Court House: "In examining the proceedings of the Board of Supervisors, the jury were led to examine the contract for building the Court House, and found material as well as minor discrepancies between it and the building as completed, particularly as to the front steps. The contract calls for steps fifteen inches wide; speaking-tubes and whistles are called for between the Court-rooms and certain offices, while none are found. The jury concluded that the architect has been negligent in duty, and, to say the least, censurable, if not liable therefor; and that it was the duty of the Building Committee and Board of Supervisors, before accepting the building, to see that it was completed according to contract, and this they evidently did not do. The construction of the floors in the Supervisors' and Recorder's rooms is very faulty, and more pillars or other supports are needed under the floors. We consider it a great oversight, in a climate like this, in allowing the plastering to be put upon the brick, instead of furring the walls. The rooms are cold and damp, and, in consequence, the walls are nearly all discolored. The whole interior construction and arrangement of the building is, in our opinion, excellent; and the upholstering and furnishing, except in the Surveyor's office, tasteful; but, at the same time, unnecessarily expensive, and extravagant for county purposes."

On the 7th of August, a committee of the Board of Supervisors, appointed to investigate the management and condition of the County Infirmary, reported that the



yours truly
J. N. Mark

state of the establishment was entirely satisfactory, and there was but one head under which they could make complaint, and that was the habit, scientific though it was, indulged in by the physician, of preparing skeleton figures on the premises. This spectral practice they strongly condemned.

On September 6, 1875, Juana M. Estudillo presented a claim to the Board of Supervisors as follows:—

For value of iron vault taken from old Court House at San Leandro.....	\$5,000 00
For nine iron cells.....	8,000 00
Rent of premises from June 25 to January 25, 1875, at \$150 per month.	2,850 00
Rent from January 25 to August 25, 1875, at \$100 per month.....	700 00
Damages to premises (Court House).....	1,500 00
Total.....	\$18,050 00

It may be mentioned that the vault referred to in the foregoing account was placed in the Court House to be used for storing the public funds, and figured also in the suit entered by F. Rhoda, the proprietor of the temporary county buildings in East Oakland. After being referred to the District Attorney, the Supervisors rejected the claim of the Señora Estudillo.

On December 6th, Judge Nye appointed Valentine Alviso to the Board of Supervisors in place of James Beazell, who was elected to the Legislature, while, it may be stated that, in this year the taxable property of the county had grown to ten millions of dollars, thus putting it at the head of all the counties of the State, saving the single exception of San Francisco.

1876.—Besides being remarkable as the centenary of American Independence, the year 1876 is one full of interest to Alameda County. In it the city of Oakland was first partitioned into wards, while it saw the incorporation of the two towns of Haywards and Livermore. The construction of the sea-walls for the protection of Oakland Harbor entered upon its second year most auspiciously, while the dredging of the estuary of San Antonio and the reopening of the creek route was consummated. In it a protracted struggle was made by the Contra Costa Railroad Company for the right of way through Market Street, Oakland, to ship channel; it was in this year the Berkeley branch of the railroad from West Oakland was built and put in operation; the Central Pacific Company commenced the building of the Northern Railroad; the Southern Pacific Railroad to Los Angeles, with Oakland as its terminus was completed, as was also the Alameda section of the South Pacific Coast Railroad. The Brooklyn and High Street Horse Railroad was put into operation, as well as the Piedmont Horse Railroad from Seventh Street, Oakland, to Mountain View Cemetery.

On January 24, 1876, the Road Fund tax paid in by townships amounted to thirty-eight thousand two hundred and eighteen dollars and twenty-eight cents, which was ordered to be distributed among the several township districts. On the 21st of February, the City Council of Oakland requested a conference with the Board of Supervisors in the matter of repairing the Twelfth-street Bridge, which resulted in the Alameda Delegation in the Legislature being requested to obtain the passage of a bill authorizing the building of a solid causeway in the place of bridge, the cost

not to exceed twenty thousand dollars. On March 13th, the Board of Supervisors received a petition from the citizens of Ocean View Road District, asking for an issue of forty-four thousand dollars in township bonds for the purpose of macadamizing their streets, under section two thousand six hundred and fifty-four of the Political Code, which was denied on the 29th of May, on the ground that it would inflict too great a burden of taxation on the people. On the 3d April, the County Treasurer asked and received permission to transfer two hundred and forty-one dollars from Bounty Fund to Oakland Bar Bond Fund which would make said fund one thousand dollars, and thus enable him to pay off No. 19—the last bond of the Oakland Bar matter. On the same day Sheriff Morse presented a bill of two thousand five hundred and fifty-five dollars on account of livery furnished by himself for one year, which, on being considered by the Audit and Finance Committee, its rejection was recommended and ordered.

The Republican County Convention assembled in Oakland on April 22, 1876, and appointed delegates to the State Convention at Sacramento for nominating Presidential candidates and electors, while, on the 21st of May, the Democratic party held their Convention for the like purposes, and also elected a County Central Committee. On the 12th of that month a great anti-Chinese mass meeting was held in Oakland, when a memorial to Congress praying for relief from the Mongolian incubus was adopted; and the first campaign meetings of the Republicans and Democrats were held respectively on June 19th and July 15th, their individual State Conventions being held in San Francisco on August 9th and July 26th.

On the 8th of May a statement of funds in the Treasury was made consequent on the death of Joseph Becht, County Treasurer, which occurred in Oakland on the previous day. Mr. Becht was a steadfast member of the Democratic party, and enjoyed a well-earned popularity. Suitable resolutions of respect to his memory were spread upon the minutes of the Board of Supervisors. The deceased gentleman was succeeded in his functions by Deputy County Treasurer, Charles E. Palmer, who had been the Republican candidate in opposition to Mr. Becht, at the general election. On May 29th the Hospital Committee presented a report which blamed the last Grand Jury for making various ill-timed and unwarranted suggestions in regard to the management of the institution, for spreading discontent among the *employés*, and for suggesting improvements which the Infirmary Fund would not admit of. On the same day the Chairman of the Citizens' Anti-Chinese Meeting presented the following resolutions adopted in mass meeting:—

WHEREAS, By the great influx of Chinese into this city, and by the dirty and filthy manner in which they keep their premises, they are endangering the health and lives of our citizens; therefore, be it

Resolved, That we, the citizens of Oakland in mass meeting assembled, hereby respectfully request the Honorable, the City Council of Oakland to pass an ordinance requiring each person who lodges in any room or house in this city to have as many cubic feet of fresh air in said room as is necessary to sustain life, and always to keep the said room in a good and healthy condition, and we most respectfully recommend that the number of cubic feet be at least five hundred or upwards in each room where any person sleeps.

It was the spirit and intention of the meeting also that the authorities of the county be invited to co-operate and to that end requested the Board of Supervisors to also pass a similar cubic air ordinance so that it should apply to every city, town,

and village in the county. What the Judiciary Committee did with the matter, we do not know, but on June 12th E. J. Kelly, the Chairman of the meeting mentioned above, presented a petition to the Board requesting that they pass an ordinance inflicting as part punishment upon all who are convicted of any offense by the authorities of Alameda County that they shall have their hair cut off to within an inch of their scalp. This was a move evidently aimed at the Chinaman's "pig-tail," but such an action was subsequently declared by Judge Field as interfering with their religion, and therefore unconstitutional; but how the erudite justice learned this, we know not, for, in China, religions and sects are as common as native vices, and according to the criminal codes of the country, thieves and such like are by law deprived of their cues—the absence of that appendage marks the criminal and it is on that account that those Chinese who have aped western customs and costumes pretend that they do not desire to return to their native land.

On the 27th November, 1876, permission was granted to the Berkeley Water Works Company to lay their pipes in certain streets; and, on the same date, W. F. Boardman, Assessor of Oakland Township, appeared with a statement of the affairs of his office showing great irregularity therein and asking for such action as would enable him to make a proper assessment for the next year. He set forth therein, that there is: First, a large amount of property unassessed; Second, a very long list to unknown owners; Third, property assessed to persons who never owned it; Fourth, property that is subdivided still assessed to the original owner; Fifth, great discrepancy in the relative value of property: Sixth, no index of blocks, plots, or tracts; Seventh, no proper maps of townships for the purpose of checking off the property to see that it is assessed. He suggested the proper remedies for all of these defects. But Supervisor Burnham stated that no action could be taken in the matter for the reason that Mr. Boardman was not eligible to the office when appointed thereto by the Board, and in consequence there was no legal Assessor of the township. Mr. Boardman stated his willingness to resign, but it was contended that he held no office to resign from. In order therefore to settle the matter the Clerk was directed to procure the petitions presented by the various applicants on the 28th August, which, being all read, on motion of Supervisor Pumyea, the Board proceeded to the election of an Assessor, when Mr. Boardman was unanimously chosen, in the place of Edwin Hunt, who had been sentenced to two years' imprisonment in San Quentin.

On the 4th December, the new Board, elected November 7th, took their seats, and were composed as follows: Valentine Alviso, District No. 1; Howard Overacker, District No. 2; Joseph B. Marlin, District No. 3; William C. Mason, District No. 4; Peter Pumyea, District No. 5; O. H. Burnham (Chairman), District No. 6; Jerry A. Chase, District No. 7. On the 11th of December, certain additions to the County Infirmary were completed, and the bill of the contractor, J. W. Watson, and architect, J. J. Newsom, amounting in the aggregate to three thousand three hundred and sixty-five dollars' were accepted and allowed.

1877.—On January 2, 1877, Supervisor Alviso presented a deed for certain lots in Oak Knoll Cemetery, near Livermore, to Alameda County, which were contracted for when Mr. Beazell was a member of the Board of Supervisors. On the 8th of Jan-

uary, we find Dr. William Bolton appointed by the Board a Justice of the Peace for the city of Oakland, who, February 19th applied for "such statutes or books containing the laws of California" as he may be entitled to. On the 5th of March the District Attorney gave it as his opinion that Doctor Bolton was neither *de facto* nor *de jure* a Justice of the Peace, for, the office being a municipal one, the Supervisors had no power to make such an appointment, consequently on the 19th, Doctor Bolton tendered his resignation, but was elected to the office at the municipal election. On the 22d January, a franchise was granted to F. Chappellet for a horse railroad along Shattuck Avenue from the terminus of the Central Pacific Railroad at East Berkeley, to Cordoneces Creek. On February 2d, the Secretary of State impressed upon the Board of Supervisors the necessity under the statutes of having a set of standard weights and measures, at a cost of three hundred dollars.

On February 5, 1877, the Central Pacific Railroad Company offered to pay three thousand eight hundred and six dollars and twenty-four cents in full of all taxes unpaid by them to the county of Alameda for the year 1872-73, it being understood that all suits against them should be discontinued. This matter was referred to the District Attorney, who, under date July 16th, consented to the plan provided it should receive the approval of the Attorney-General of the State, which it did, June 2, 1879, when all suits against the Central Pacific Railroad Company were ordered to be abandoned. On the 24th of April, the Clerk was directed to communicate with the Board of Supervisors of Contra Costa County with a view to more definitely establishing the boundary line between the two counties, to which an affirmative reply was received May 25, 1876. About this period Alameda Township had petitioned that the Webster-street Bridge being over a navigable stream, should properly become a charge upon the county and that the township of Alameda should be relieved from the payment of the balance due thereon, amounting to thirteen thousand dollars, incurred under the Act approved April 4, 1872, but when referred to the Judiciary Committee they reported adversely to the proposition and there the matter rested for the time. In the month of June and immediately previous thereto, numerous applications had been made by paupers discharged from the hospital to have their expenses paid to whithersoever they wished to proceed, but on July 16th, on the recommendation of the Hospital Committee the practice was ordered to be discontinued. Owing to the absence of Supervisor Chase in the State of Maine, and his inability to return within the prescribed limits of his leave of absence, on September 29th he tendered his resignation, which was duly accepted, and on the same day J. B. Woolsey was appointed in his stead. On the 1st October, the Superintendent of Schools reported the number of census children between the ages of five and seventeen years of age in the county to be twelve thousand five hundred and forty-four, and that the school money required would be fifty-eight thousand dollars.

On the 1st of October the reorganized Board of Supervisors, composed as follows: John Green, District No. 1; H. Overacker, District No. 2; J. B. Marlin, District No. 3; William C. Mason, District No. 4; Peter Pumyea, District No. 5; John F. Smith, District No. 6; J. B. Woolsey, District No. 7, had their first session, when, on the fourth ballot, Mr. Overacker was chosen Chairman. On the 22d of the same month a standing reward of one thousand dollars was offered for the arrest and conviction of any person

or persons unlawfully setting fire to any property in Alameda County. On the 29th October Sextus Shearer claimed that at a judicial election, held on the 17th instant, he was elected Justice of the Peace for Oakland City, and requested a recount of the vote, which being granted it was found that he received seventeen votes in the Second Ward, four in the Third Ward, and one in the Fifth Ward, making in all twenty-two votes; he was therefore declared elected. A resolution that had been for some time before the Board was adopted, November 26th, authorizing the Oakland Railroad Company to operate their road on Telegraph Avenue on the extension outside the city limits of Oakland with dummy engine in lieu of horses. On the 3d December, the custom heretofore prevailing, of drawing monthly warrants in favor of outside indigents, was declared to be wrong, it was therefore directed to be discontinued, while it was commanded that thereafter all such matters should come before the Board at the regular monthly meetings in the form of bills, and take the usual course. On the 17th December, the Supervisors, by resolution, earnestly protested against the passage of a bill then pending in the Legislature, whereby the control of the Webster-street Bridge, Oakland, would be transferred to the county. In spite of this opposition, however, the Act was approved December 21, 1877. On December 12th, the Oakland Homeopathic Hospital and Dispensary Association set forth in a petition to the Board that it is a corporation formed by the ladies of Alameda County for the purpose of affording free medical and surgical advice and treatment to the poor; that they proposed to establish a hospital and dispensary in the city of Oakland that would largely benefit the county and they asked the Board to furnish them two rooms free. A motion to allow the Society forty dollars per month was lost, and the petition referred to the Hospital Committee, who must have reported favorably on the matter, for, on February 11, 1878, that amount was granted for rent, the Supervisors retaining the privilege to send patients thither.

1878.—On the 22d January a special election was held to elect a State Senator in the place of Hon. Nathan Porter, deceased, which resulted in the election of the Workingmen's candidate, John W. Bones, with the following vote: John W. Bones, two thousand seven hundred and forty-seven votes; W. W. Crane, Jr., two thousand and sixty-four votes; J. B. Lamar, five hundred and seventy-seven votes; scattering, two votes. In regard to the establishment of another hospital and poor-farm, the committee appointed to report on the scheme, on January 28th, set forth reasons adverse to it, stating that they were furnishing aid to many parties outside of the Infirmary at much less rates than could be done inside. On the same date the maps prepared by Thompson & West were declared to be the official maps of the county. In the month of March the Board decided to adopt a new plan in the matter of the County Infirmary, and advertised for proposals for the care of the inmates at a stated *per diem* rate per head, the contractor to furnish medical attendance, medicines, nurses, food, etc. Five bids, ranging from sixty-four to forty-five cents, were received on May 6th, but on the 15th the whole of these were rejected, the Supervisors concluding to continue the existing management. On the 27th of May a proclamation was issued calling for an election to be held throughout the State on June 19, 1878, to elect delegates to the Constitutional Convention, the number to be elected being

one hundred and fifty, of which number thirty-two were to be chosen "at large," of whom not more than eight should be from any one Congressional District. The delegates for Alameda County were: J. G. McCallum, J. V. Webster, William Van Voorhies, Daniel Inman, Alexander Campbell, Jr. On August 8th, a resolution introduced for building the new Hall of Records on Franklin Plaza was taken under advisement for two months. The School Superintendent reported, September 2d, that fifty thousand dollars would be necessary for his department at next tax levy; while, on the 4th, H. Dusterberry and F. F. Myers were elected Supervisors for Districts Number Two and Five respectively, thus making the new Board, when they took their seats on October 7, 1878, to consist of John Green, District No. 1; Henry Dusterberry, District No. 2; J. B. Marlin, District No. 3; William C. Mason, District No. 4; Fred F. Myers, District No. 5; John F. Smith, District No. 6; James B. Woolsey, District No. 7.

It would also appear as if the report of the last Grand Jury contained some charges reflecting upon the acts of the Honorable Board, for one of the members, under date October 21st, takes it upon himself to reply in a letter (which is spread upon the minutes) couched in language more forcible than grammatical, in which, among other matters, he states that he has been twice to Sacramento in the interests of the county and saved it thereby fifty thousand dollars, at a personal expense of one hundred and fourteen, which he was allowed to bear. "I have never," he says, "received one dollar for my services, but the abuse of the Grand Jury in payment for same." Under date November 4th, we find Robert Stephenson, of Brooklyn, complaining to the august Board that a negro baby, only a few days old, had been left at his residence a short time ago, and as he did not want it, he requested that the Supervisors would relieve him from this deeply-colored practical joke. The subject was referred to Mr. Mason with power to act, but what he did in the premises the records do not divulge. In the Financial Report filed on this date, we find that the—

Value of County Real Estate and Improvements was.....	\$39,105,894 00
Value of County Personality.....	3,716,983 00
Giving a total of.....	\$42,822,877 00

On the 2d of December the Board of Supervisors passed the following resolution:—

Resolved, That commencing January 1, 1879, this Board will grant no further relief to those indigents now dependent upon the county and receiving aid, nor to any others who may apply at any time thereafter for the payment of rent, or for groceries, or fuel, as all the dependent poor of the county will then and thereafter be required to go to the County Infirmary, and no outside relief will be granted, except in extraordinary cases, and then only by a vote of the entire Board.

On the 23d December a proposition to suspend action of the above resolution until after the additions to the County Infirmary were completed, or the Alms House built, was defeated.

Ere closing the events of the year 1878 we will introduce the reader to a short sketch of the rise and fall of the Workingmen's Party, that political organization that flashed upon California for a short time and after an erratic course of about two years, as suddenly was interdicted by the better thinking portion of the community. Communism was slain and law and order prevailed.

For several years previous to the creation of the Workingmen's Party as a political organization, there had been more or less agitation of the Chinese question, and the competition of Mongolian with white labor. The steady influx of Coolies from China, the employment of this cheap labor by manufacturing firms, and the consequent driving out of white laborers from many of the branches of mechanical employment, aroused the working classes to the highest pitch of resentment. Early in 1877, Dennis Kearney, an Irish draymen of San Francisco, commenced holding public meetings on the vacant lots near the New City Hall in San Francisco—since known throughout the length and breadth of the land as the Sand Lot—and in his vulgar, declamatory harangues, worked upon the worst passions of the ignorant multitude, denouncing all men of wealth, and preaching the extreme doctrines of communism. Others, who saw a chance for political preferment by catering to the evil passions of the mob, followed in the wake of Kearney, holding outdoor meetings all over the State. Clubs were formed, and out of these sprang the Workingmen's Party.

The bold times of 1877-78 helped forward the communistic organization, and to its ranks flocked all of the hoodlum and criminal elements of the State. They became the terror of San Francisco and Oakland, threatening to burn and destroy the property of the rich, and seize upon the Government by force. The result was that Capitalists refused to invest; all improvements came to a stand-still; thousands of other workmen were thrown out of employment and joined the hooting rabble. Then came the demands for a new Constitution—a Constitution that would *cinch* Capital, and force those who had something to divide with those who had nothing. One or two papers of the sensational class joined in this insane movement, and the result was that the Democrats and Workingmen of the Legislature of 1877-78 passed an Act calling a Constitutional Convention, the election of delegates to which should take place on the third Wednesday in June, 1878; the Convention to meet on the 28th of September, 1878. To save the State from the communists, Republicans and the better class of Democrats united upon non-partisan tickets in most of the counties of the State, and thus elected a majority of the Convention. But a large minority of the people of the State were utterly opposed to the whole programme of the New Constitution, believing the Old Constitution answered all purposes—and especially were they opposed to any change at that time, when communism ran rampant throughout the State. The Convention met, framed the present Constitution, and appealed for a vote of the people on its adoption the succeeding May. The time of the election came, and the party called the "New Constitution Party," headed by the San Francisco *Chronicle*, united with the Workingmen's Party, and carried the day, adopting the new instrument by a small majority. Alameda County gave a majority of two thousand against the new organic Act. The first election under the New Constitution occurred in September, 1879. Three candidates for Governor took the field. The Republicans nominated Hon. Geo. C. Perkins; the Democrats and New Constitution Party put up Dr. Hugh Glenn, and the Workingmen's Party nominated William White, a farmer of Santa Cruz County.

During this canvass, one of the fiercest ever waged in the State, the difficulty occurred between Charles De Young, proprietor of the San Francisco *Chronicle*, and I. S. Kalloch, the Baptist minister, who had joined the Sand-lot crowd, and was nom-

inated by that party for Mayor. The result of this personal warfare was the shooting of Kalloch by De Young, from which Kalloch recovered, and was elected Mayor; and afterwards the assassination of De Young, in his own office, by I. M. Kalloch, son of the Mayor, and also a Baptist minister.

The Republicans gaining control of the State Government, the years 1879 and 1880 being prosperous, and there being plenty of work for all who wanted it, the Sand-lot Party gradually died out; and the large majority finally went back to the Democratic party in the Presidential election of 1880, from which it had cut loose during the exciting period of over two years. Even Oakland succumbed to Sand-lot rule for two years—the Workingmen electing their Mayor in 1878 and 1879—in 1878 electing not only their candidate for Mayor, but Police Judge and City Attorney, and in 1879, the Mayor, two members of the City Council, and two members of the Board of Education. Very little is left of the party to-day—like a mushroom, it sprang up in a night, and vanished as suddenly.

1879.—The first item of interest in the year 1879 that we may record is the appointment of Col. E. M. Gibson to the position of District Attorney, upon the resignation of Henry Vrooman, who, on retiring, received the highest encomiums from the Board of Supervisors. On the 28th of April, Supervisor Smith offered a motion, which was adopted, viz.: That proper ballot boxes be supplied to all election precincts requiring them, the reason for this action being the impending election on May 7th for the adoption or rejection of the New Constitution, and the fear that the soap and candle boxes in use in some of the precincts of the county were not as secure as the more legitimate receptacles for votes. The result of the election mentioned above, in Alameda County, was:—

For the New Constitution.....	4,054
Against the New Constitution.....	6,054
Majority against adoption.....	2,000

On the 2d July, the order made allowing forty dollars per month to the Oakland Homeopathic Dispensary was rescinded, and, on the 24th, District Attorney Gibson gave it as his opinion that the election of Supervisors in September was in no wise affected by the New Constitution. Now came the election on the 3d September to test the feeling of the people on the subject of Chinese Immigration, which resulted as follows:—

For Chinese Immigration.....	65
Against Chinese Immigration.....	9,401
Majority against Chinese Immigration.....	9,336

On the 22d September the county treasury contained a cash balance of eighty thousand one hundred and fifty-nine dollars and forty-eight cents; while, on the same day, the Superintendent of Schools reported the number of school children in the county, who draw money, to be fifteen thousand and twenty, and the amount required fifty thousand dollars. The Board also on this date ordered the Court House to be decorated and county offices closed on Thursday, the 25th September, and the



Yours Truly
E. O. Crosby,

day be observed as a holiday in honor of General Grant, who was to be given a reception in Oakland on that day. On this date, besides, the Board recorded its opinion that the Supervisors-elect from the Third, Fourth and Seventh Districts do not take their seats until the first Monday of March, 1880.

While upon the subject of Supervisors' terms of office it may be mentioned that the Code declares the term of office of a Supervisor to be three years, but is silent in regard to the commencement of the term. It had been the custom in Alameda County for Supervisors to assume their office on the first Monday of the month following their election. On the first Monday of October, 1879, the Supervisors elect expected to take their seats, but it so happened that those gentlemen whose terms were supposed to expire on that day need not actually relinquish their offices until the first Monday of December, as they were elected at the Presidential election of 1876, and assumed their office on the first Monday of the following month, which was December. Messrs. Chase, Marlin and Mason were elected in 1876, and in September, 1877, Mr. Chase resigned and J. B. Woolsey was appointed to fill the unexpired term. If the election of Supervisors in November, 1876, was legal, the terms of those then elected, it was argued, did not expire until December, 1879; therefore, to ascertain the custom of several counties in this respect, the Clerk of the Board communicated with those holding the like positions in San Joaquin, Contra Costa, Solano, Napa, and Sonoma Counties, to which he received replies stating the invariable custom was that the Supervisors took their seats at the first regular session after election. Mr. Marlin had been re-elected, therefore it made no difference to him when his term commenced. On the 6th of October, Mr. Clement, Supervisor elect from the Fourth District, appeared before the Board and made a formal demand for his seat, stating that there existed a difference of opinion among lawyers as to the proper date for the assumption of office, but he did so then under the advice of his attorney. Mr. Mason stated his willingness to give up his seat at any time. On the 1st of December W. S. McClane, Supervisor elect from the Seventh District, appeared before the Board, presented his certificate of election, and demanded his seat, but the subject was referred to the District Attorney, and must have been settled, for on December 8th, the new Board organized and consisted of: John Green, District No. 1; Henry Dusterberry, District No. 2; J. B. Marlin, District No. 3; W. B. Clement, District No. 4; Fred. F. Myers, District No. 5; John F. Smith, District No. 6; W. S. McClane, District No. 7.

On October 20th Mr. DeLacy and others petitioned for permission to erect blasting powder works at Damon's Landing, Brooklyn Township, but the prayer, after considerable discussion, was denied on the 19th of November. On the 10th of November the South Pacific Coast Railroad Bridge over Alameda Creek, at the sugar mill near Alvarado, about which complaint had been made, was declared an obstruction, the company being directed to remodel the same. On the 19th of the same month, however, President Davis, of the Company, appeared in response to the above and stated that the bridge was built solely for the benefit of the Sugar Company, and that he was willing to remodel the same if necessary. He also asked for time enough to be given in order to make a *practical* test as to its being an obstruction. Therefore the order of the Board was modified.

On November 24th, 1879, the President of the Bay and Coast Narrow Gauge (South Pacific Coast) Railroad Company made an informal request to the Board to relinquish to him the Webster-street Bridge to be used as a crossing for his railroad, he agreeing to perform certain things as recompense. The matter was referred to the District Attorney, who, in a lengthy report, dated December 8th, advised the Board that it had no authority of law to grant the request. On the same day an injunction was issued out of the Twelfth District Court of the City and County of San Francisco against the Board of Supervisors restraining them from granting any such privilege to any person. Messrs. Greathouse and Blanding, attorneys, offered their services free to the Board in the matter and were authorized to appear as the Attorneys of the Board in conjunction with the District Attorney, before the Court above named and take steps to have the injunction dissolved at once. The Board states that it "does not propose to act hastily or unjustly in the matter," but to exercise due discretion and judgment, etc. The proposition of Mr. Davis was thereupon referred to a Committee of the Whole to report in future. This they did December 22d, as follows:—

The Committee of the Whole, to whom was referred the application of Alfred E. Davis asking that this Board, in whom is invested by law the power to control the Webster-street Bridge across the Estuary of San Antonio and regulate its use, shall transfer and set over to the use and benefit of himself and assigns for the period of fifty years, respectfully report, that we have carefully considered said application and would recommend that the use of said bridge be transferred to said A. E. Davis and his assigns subject to the conditions set forth in the accompanying resolutions.

Respectfully submitted,

J. F. SMITH,
W. S. McCLANE,
W. B. CLEMENT,

JOS. B. MARLIN,
F. F. MYERS.

The motion to adopt was opposed by Supervisor Green, who stated that under the rules the matter should lie over for thirty days, and moved that the subject be referred to the Franchise Committee. Mr. Dusterberry said that he could not clearly understand why there should be haste in the matter, "whereupon the following dispatch is read":—

"SAN FRANCISCO, December 22, 1879.

"TO JOHN F. SMITH, PRESIDENT BOARD OF SUPERVISORS—Alameda County Court House.

"Records show no application to amend without prejudice to injunction in suit of Meetz *vs.* County. No new bond filed since amendment.

WM. A. STUART, *County Clerk.*"

Mr. Green's motion to refer to Committee, meeting with no second, the motion to adopt the report of the Committee of the Whole was carried unanimously. The following were then presented, viz.:—

"*Resolved*, 1st. The right and privilege is hereby granted to Alfred E. Davis and his assigns to maintain and operate a railroad over and along the bridge known as the Webster-street Bridge across the Estuary of San Antonio in Alameda County, and the approaches thereto, such railroad to be a single or double track railroad, and the cars thereon to be propelled by steam or horse-power, such right to commence upon the passage of this order, and to continue for a period of twenty-five years.

"2nd. Said Davis and his assigns shall, before they operate such railroad, repair and strengthen or reconstruct such bridge under the control, management, direction, and supervision of the Board of Supervisors of Alameda County, so that the use of the same for a public bridge and the lawful uses of the public may not be impaired.

The costs of such repairing, strengthening, or reconstruction to be paid by said Davis and his assigns, work on such bridge to be commenced within one year from the passage of this order, and to be prosecuted without unreasonable delay.

"3d. Said Davis and his assigns shall also, so long as he or they operate said railroad over such bridge, pay the cost of keeping such bridge in repair, except that he or they shall not be required to keep the floor of such bridge in repair, and he and they shall also, during such time, pay into the General Fund of Alameda County an amount equal to the salary, not exceeding one hundred dollars per month, which may be paid by the Board of Supervisors or the County of Alameda, to the said draw-bridge tender, such payment to commence on demand from said Board, and to be paid every three months thereafter.

"4th. Nothing herein contained shall be construed as impairing the right of the Board of Supervisors to regulate and control said bridge and approaches."

Mr. Myers then moved that the rules be suspended in order that said resolutions should be considered, which was so ordered. Mr. Clement thereupon moved that the above resolutions be adopted, a motion that was carried by the following vote: Ayes—Messrs. Clement, Dusterberry, Green, Marlin, McClane, Myers, and Smith; Noes—None. Some other business having been transacted, Mr. Green then made the statement that he had voted with the "majority" (*sic*) for the purpose of moving a reconsideration of the action; he therefore made a motion to the effect that the said action so taken be reconsidered in order that he may be placed upon the record as voting "No." The proposition meeting with no second, the Chair ruled that it could not be entertained, and there being no appeal from the decision of the Chair, on motion of Supervisor Clement that the request of Mr. Green to have his name appear upon the record as voting "No," be granted, was so ordered.

1880.—On February 28, 1880, water rates were established under provisions of Section fourteen of the New Constitution for the following which were named as the water companies of the county: The Contra Costa Water Company, the Mission San José Water Works Company, the Livermore Spring Water Company at Livermore, and the Washington and Murray Townships Water Company in Washington Township. The Board decided that the same rates be established as were charged by these companies during the past year, the scale to commence on July 1st. On the 28th of February, complimentary resolutions were passed upon the retirement of Eben C. Farley, Deputy County Clerk, and Clerk to the Board of Supervisors. Under the provisions of the Act approved April 7, 1880, authorizing the appointment of a Board of Education, on April 19th, O. S. Ingham, Joseph McKeown, A. L. Fuller, and W. H. Galbraith were chosen to fill the offices, their salaries being fixed at five dollars per day for the time necessarily employed, and twenty cents allowed for mileage in going to their place of business. Under a resolution directing the Clerk to furnish to the Board "the number, denomination, and amount of all bonds issued showing the date of issue, to whom issued, in accordance with section four of the statutes of 1869-70, page 297," which reads: "It shall be the duty of the said Auditor to keep a record of the number, denomination, and amount of all bonds issued, showing the date of the issue, to whom issued, and the number of each coupon to each particular bond," and also, the Act to provide for the building of a bridge and roadway across the estuary of San Antonio, etc. On April 26th the Clerk reported that he had examined one of said bonds, and found that they are

"payable ten years from date to the holder," and hence there were no means of ascertaining to whom they were issued. They were dated and issued as follows:—

DESCRIPTION.	NUMBERED.	VALUE.	DATE.	AMOUNT.
First Lot.....	1 @ 15 inclusive.....	\$500 00 each.....	August 12, 1870.....	\$ 7,500 00
Second Lot.....	16 @ 30 inclusive.....	500 00 each.....	September 12, 1870.....	7,500 00
Third Lot.....	31 @ 36 inclusive.....	500 00 each.....	November 11, 1870.....	3,000 00
Fourth Lot.....	37 @ 40 inclusive.....	500 00 each.....	August 25, 1871.....	2,000 00
				<u>\$20,000 00</u>

Pursuant to the resolution just mentioned, on June 14, 1880, the County Treasurer made the following statement of the outstanding indebtedness of the County:—

Outstanding Warrants on General Fund.....	\$52,457 13
Outstanding Warrants on Infirmary Fund.....	9,457 03
Outstanding Warrants on District Road Fund.....	8,875 89
Interest on above warrants.....	882 50

Total.....\$71,672 55

Claims allowed and not yet drawn by Auditor about.....3,000 00

NILES BRIDGE BONDS.

Thirty in number; \$500 each, issued August 5, 1872; ten per cent. interest; semi-annually; ten years to run; redeemable after five years at option of Board of Supervisors. Statutes 1871-72, p. 206.....\$15,000 00

WEBSTER-STREET BRIDGE BONDS.

Four outstanding; annual interest, ten per cent.; Statutes 1871-72, p. 83; also Minutes of Board of Supervisors, Vol. 3, p. 589; also Statutes 1877-78, p. 942.....\$ 8,444 66

COUNTY BUILDING BONDS.

Two hundred in number; \$1,000 each; issued July 6, 1874; interest ten per cent.; semi-annually; one-tenth of said bonds due in 1885, and one-tenth each year thereafter until all paid. Statutes 1873-74, p. 594.....200,000 00

\$223,444 66

On June 1, 1880, the Board issued orders to have prisoners confined in the County Jail made to perform eight hours work daily in and about public buildings, roads and highways, under Section one thousand six hundred and thirteen of the Political Code. On June 14th, a resolution consolidating the offices of County Clerk and Recorder, Tax Collector and Treasurer, on and after July 1st, was referred to a Committee of the Whole. The salaries of deputies of each county and township officer were fixed at one hundred and twenty-five dollars per month, June 21st; while, the Building Committee having had under advisement the advisability of establishing a Receiving Hospital in Oakland, on June 21st reported favorably to the scheme, which on being adopted was handed over to the Hospital Committee, who, at the following meeting of the Board, recommended the fitting up of rooms in the basement of the new Hall of Records. On July 19th, a resolution to fund the debt and issue bonds therefor was referred to a Committee of the Whole, but the matter fell through on account of the County Government Bill being declared unconstitutional by the Supreme Court. On the same date the county was re-partitioned into Supervisor Districts under Section four thousand and twenty-five of the Act of 1879-80, the same districts being re-established with the boundaries heretofore designated. On July 31st the Board

adopted a seal; and a communication was received from Sidney Sanders, attorney, setting forth that James M. Goggins owns six-thirty-sixths undivided interest in Washington and Franklin Squares in the city of Oakland, and wished to know what action the Supervisors would take in the premises. The document was "laid on the table." Under date the 15th October, J. J. Hanifin, Supervisor elect from the Sixth District, appeared with his certificate of election and claimed his seat. Mr. Smith, the incumbent, declined to give it up, stating that the election of a Supervisor in that district was illegal. After an adjournment for consideration, Mr. Smith, in a communication to the Board, desired that Mr. Hanifin be allowed to take the seat of the Supervisor for the Sixth District, reserving to himself the right to resume it in case the Supreme Court should hold the election illegal. Mr. Myers was then called to the Chair, while Mr. Smith introduced Mr. Hanifin as his successor; after which the Board then re-organized as follows: John Green, District No. 1; Henry Dusterberry, District No. 2; J. B. Marlin, District No. 3; W. B. Clement, District No. 4; F. F. Myers, District No. 5; J. J. Hanifin, District No. 6; W. S. McClane, District No. 7. Mr. Dusterberry was unanimously chosen Chairman.

1881.—On January 10, 1881, a resolution introduced by Supervisor Hanifin was adopted that the Clerk of the Board immediately indorse upon every bill or account allowed the fact of such allowance, the amount ordered paid, the date of such action, and sign his name thereto at the time; also, that all bills allowed be signed by at least two members of the Auditing Committee. On the 21st a former order offering a thousand dollars reward in the matter of incendiarism was rescinded. On May 9th, the Central Pacific Railroad Company were called upon to render less dangerous their crossings on public roads. The Northern Railway having been assessed by the State Board of Equalization at one million, five hundred and forty-three thousand and fifty dollars, the proportion allotted to Alameda County was ninety-two thousand four hundred and seventy-five dollars; that of the Central Pacific Railroad, was fifteen millions, fifty-five thousand, five hundred dollars, and the county proportion, two millions, eighty-eight thousand dollars. July 5th, the School Superintendent reported, as per census, fifteen thousand six hundred and seventy-seven children between the ages of five and seventeen years, eight thousand two hundred and forty-two of whom were in Oakland Township. On September 6th, the California and Nevada Railroad Company were authorized to build their road on Adeline Street from its junction with Spring Street, northerly to its junction with Lowell Street, produced southerly to Adeline Street. On the 19th of the same month, County Treasurer Palmer resigned to take the position of Cashier of the Union Bank, when complimentary resolutions were passed, spread upon the minutes, and J. A. Webster appointed in his stead. On the 26th September, the proper condolatory resolutions were passed on the death of President Garfield; while, on October 31st, the County Board of Horticultural Commissioners were appointed as follows: A. D. Pryal, A. P. Crane, and Martin Mendenhall, who were to receive four dollars per day while actually on duty, but no member would be permitted to charge for more than thirty days during the year. On November 21st, the Committee of the Whole report adversely as to crossing Webster-street Bridge with horse railroad, signed by Supervisors Dusterberry, Marlin, Green, Mc-

Clane. A minority report by Supervisor Hanifin favoring the scheme, which had to give way to the majority report, the only votes in the negative being those of Messrs. Clement and Hanifin. On December 5th, a communication was received from C. O. Rockwell expressing Mrs. Garfield's "grateful acknowledgments for the resolutions of the Board of Supervisors."

1882.—On January 3, 1882, D. C. Brown having presented his certificate of election as Supervisor elect from Fifth District, Supervisor Hanifin proposed that Mr. Brown's name be called by the Clerk on all questions and that the Board recognize the *prima facie* right of that gentleman to a seat at the Board. The subject was, however, laid over to enable Mr. Myers, the incumbent of the contested seat, to have legal counsel. On the 4th, Mr. Brown again demanded to have his name called at roll call, when he was informed by Chairman Dusterberry that the matter was a private one between him and Mr. Myers to be adjudicated by the Courts. Again on the 16th the same demand was made by Mr. Brown, and finally he made his appearance with an *appointment* signed by Judges Crane and Hamilton, whereupon Supervisor Hanifin introduced a resolution that his name be called and his vote recorded, which was adopted by a full Board, Mr. Myers voting "No," and Mr. Green declining to vote; the Board then reorganized with Mr. Brown seated. The members were: John Green, District No. 1; Henry Dusterberry, District No. 2; J. B. Marlin, District No. 3; W. B. Clement, District No. 4; Dudley C. Brown (*vice* Myers term expired), District No. 5; J. J. Hanifin, District No. 6; W. S. McCrane, District No. 7. Mr. Clement being Chairman.

The chief matter of political interest that happened in the county of Alameda during the year 1882, is indubitably what has been termed the Democratic wave whose swell first rolling up large majorities in the cis-Atlantic States broke upon the Pacific Coast, carrying everything before it. It is not our province to enter into the causes of this wonderful reaction in politics, suffice it to say that feelings ran high, and the Banner Republican county, Alameda, was appalled at the havoc made in her ranks. The election of 1882 will long be remembered.

In closing this chapter we will call the attention of our readers to the tables herewith appended. In the first will be found a list of the taxes levied since the formation of the county, exclusive of the poll-tax, while in the second we have handed to posterity a list of all the officers who have served the county, from State Senator to Constable, with the votes received by each, and the dates upon which they were elected; also notes showing the appointments made by the Courts of Sessions, and Boards of Supervisors between each general election. This table is as complete as it is possible to make it, and all records of the county have been thoroughly searched for the purpose of having it perfect and reliable, while it is with no little degree of pride that we present to our patrons the result of our labors, feeling assured it will be well appreciated by all who may have occasion to refer to it.



Mrs. Lucy
R. A. Redman

NAME OF OFFICE.				1857-1858.				1858-1859.				1859-1860.				1860-1861.			
	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.				
State Senator.	S. B. Bell.	Sept. 2, '57		R. A. Redman.	Sep. 2, '58	749	R. A. Redman.	Sep. 2, '58		F. K. Shattuck.	Sep. 7, '59		A. M. Crane.	'61 1274					
Members of Assembly.	J. G. Hobart.			W. P. Rogers.			W. P. Rogers.			F. K. Shattuck.	Sep. 7, '59		F. K. Shattuck.	Sep. 7, '59					
District Judge.	Samuel Bell McKee.	"		W. H. Glascock.	Sep. 2, '57		W. H. Glascock.	Sep. 2, '57		John A. Lent.	Nov. 6, '60		John A. Lent.	Nov. 6, '60					
County Judge.	Wm. Van Voorhies.	"		Wm. Van Voorhies.	"		Wm. Van Voorhies.	"		Wm. H. Glascock.	"		W. H. Glascock.	"					
Superior Judge.	H. M. Vesey.	"		H. M. Vesey.	"		H. M. Vesey.	"		Joseph R. Mason.	"		Joseph R. Mason.	"					
County Clerk.	H. M. Vesey.	"		H. M. Vesey.	"		H. M. Vesey.	"		Joseph R. Mason.	"		Joseph R. Mason.	"					
Recorder.	H. M. Vesey.	"		H. M. Vesey.	"		H. M. Vesey.	"		Joseph R. Mason.	"		Joseph R. Mason.	"					
Auditor.	P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"					
Sherrif.	P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"					
Tax Collector.	P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"		P. E. Edmundson.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
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Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
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Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
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Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
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Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.	"		John W. Carrick.	"		John W. Carrick.	"					
Assessor.	C. C. Breyfogle.	"		C. C. Breyfogle.	"		C. C. Breyfogle.												

TABLE (Continued)

SHOWING THE OFFICERS OF ALAMEDA COUNTY, AS COMPILED FROM THE RECORDS OF THE COURT OF SESSIONS AND BOARD OF SUPERVISORS, FROM 1853 TO 1883, INCLUSIVE.

NAME OF OFFICE.	1851-1862.			1862-1863.			1863-1864.			1864-1865.		
	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.
State Senator	A. M. Crane	Nov. 4, '61	1274	Thomas Scott (Ninth Senatorial District).	Sep. 3, '62		W. W. Crane, Jr.	Sep. 2, '63	1374	Stephen G. Nye		
Member of Assembly	J. B. Moore (Ninth Senatorial District)		1291	Henry Robinson			Thomas Scott	"	1396	Thomas Scott		
	S. B. McKee	"	1252	Noble Hamilton	"		Asa Walker	Oct. 21, '63	899	Asa Walker	Oct. 21, '63	
District Judge	John A. Lent	"			"		S. B. McKee	"		S. B. McKee		
County Judge	W. W. Crane	"	1299		"		Noble Hamilton	"	918	Noble Hamilton		
Superior Judge	W. W. Crane	"	1300		"		Stephen G. Nye	Sep. 2, '63	1366	A. M. Church		
County Clerk	A. M. Church	"	1300		"		A. M. Church	"	1377	A. M. Church		
Recorder	A. M. Church	"			"		A. M. Church	"		A. M. Church		
Auditor	A. M. Church	"	1280		"		Harry N. Morse	"	1399	Harry N. Morse		
Sheriff	J. A. Mayhew	"			"		Socrates Huff	"	1344	Socrates Huff		
Treasurer	J. W. Carrick	"	1475		"		Socrates Huff	"	1344	Socrates Huff		
Assessor	Sham Case	"	1475		"		E. P. Sanford	"	1373	E. P. Sanford		
Surveyor	E. H. Dyer	"	1233		"		T. O. Hopkins	"	1373	T. O. Hopkins		
Public Administrator	J. D. Strong	"	1315		"		D. C. Cameron	"	1373	D. C. Cameron		
Superintendent of Schools	F. K. Shattuck, Oakland Tp.	"	286		"		B. N. Seymour	"	1373	B. N. Seymour		
Supervisors	C. S. Eigenbrodt, Washington Tp.	"	423		"		F. K. Shattuck, Oakland Tp.	"	372	F. K. Shattuck, Oakland Tp.	Oct. 8, '64	462
	Wm. Mark, Eden Tp.	"	423		"		H. Overacker, Wash'n Tp.	"	373	H. K. Grackley, Wash'n Tp.	"	364
	H. Robinson, Brooklyn and Alameda Tps.	"	393		"		Wm. Mark, Eden Tp.	"	273	John Grackley, Wash'n Tp.	"	240
	S. A. Hastings, Alameda Tp.	"	286		"		R. S. Farrelly, Brooklyn Tp.	"	216	Wm. Meek, Eden Tp.	"	210
	C. J. Fitch	"	70		"		A. Cummings, Alameda Tp.	"	49	R. S. Farrelly, Brooklyn Tp.	"	59
Justices of the Peace	W. H. Southern, Brooklyn Tp.	"	126		"		N. Watson	Oct. 21, '63	59	N. Watson	Oct. 21, '63	
	Geo. Fleming, Eden Tp.	"	286		"		W. Coleman	"	59	W. Coleman	"	
	Wm. Higgins, Murray Tp.	"	104		"		W. H. Southern, Brooklyn Tp.	"	77	W. H. Southern, Brooklyn Tp.	"	
	John O'Brien	"	80		"		E. S. Hamilton, Eden Tp.	"	132	E. S. Hamilton, Eden Tp.	"	
	Geo. H. Fogg, Oakland Tp.	"	236		"		F. W. Meyer	"	166	F. W. Meyer	"	
	C. Lucas	"	143		"		W. G. Higgins, Murray Tp.	"	34	M. G. Higgins, Murray Tp.	"	
	Charles Ellis	"	113		"		Edward Carroll	"	51	E. Carroll	"	
	A. Marshall, Wash'n Tp.	"	238		"		Geo. H. Fogg, Oakland Tp.	"	138	Geo. H. Fogg, Oakland Tp.	"	
	Geo. W. Bond	"	238		"		J. E. Whitteher	"	54	J. E. Whitteher	"	
	Wm. Fager	"	50		"		W. M. Lissom, Wash'n Tp.	"	106	W. M. Lissom, Wash'n Tp.	"	
Constables	D. Cameron, Brooklyn Tp.	"	164		"		Geo. W. Bond	"	198	Geo. W. Bond	"	
	Ordo H. Wood, Eden Tp.	"	107		"		C. H. Hall, Alameda Tp.	Sep. 2, '63	75	C. H. Hall, Alameda Tp.	"	
	J. W. Kottenger, Murry Tp.	"	22		"		J. Moffat, Brooklyn Tp.	"	67	M. W. Peck	"	
	M. M. Coffer	"	147		"		A. Wilson	"	72	A. Wilson	"	
	J. E. Shober, Oakland Tp.	"	262		"		Ordo H. Wood, Eden Tp.	"	100	Ordo H. Wood, Eden Tp.	"	
	D. S. Mills, Wash'n Tp.	"	204		"		Wm. Martin, Murray Tp.	"	96	Wm. Martin, Murray Tp.	"	
	R. A. Potter	"	204		"		Geo. Johnson	"	11	Geo. Johnson	"	
		"			"		J. E. Shober, Oakland Tp.	"	262	J. E. Shober, Oakland Tp.	"	
		"			"		James Brooks	"	168	James Brooks	"	
		"			"		P. Smith	"	96	P. Smith	"	
		"			"		John C. W. Washington Tp.	"	159	John C. W. Washington Tp.	"	
		"			"		John Joyce	"		John Joyce	"	

NO RECORD OF VOTES.

NAME OF OFFICE.	1865-1866.			1866-1867.			1867-1868.			1868-1869.		
	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.
State Senator.....	Henry Robinson.....	Sep. 6, '65	1278	Henry Robinson.....	Sep. 6, '65	1278	Henry Robinson.....	Sep. 6, '65	1278	Henry Robinson.....	Sep. 6, '65	1278
Member of Assembly.....	Thomas Eager.....	"	1275	Thomas Eager.....	"	1275	A. M. Church.....	"	1255	A. M. Church.....	"	1255
District Judge.....	John T. Wilson.....	"	1119	John T. Wilson.....	"	1119	J. W. Dwinelle.....	"	1311	J. W. Dwinelle.....	"	1311
County Judge.....	S. B. McKee.....	Oct. 21, '63	"	S. B. McKee.....	Oct. 21, '63	"	S. B. McKee.....	Oct. 21, '63	"	S. B. McKee.....	Oct. 21, '63	"
Superior Judge.....	Noble Hamilton.....	"	"	Noble Hamilton.....	"	"	Stephen G. Nye.....	Oct. 16, '67	"	Stephen G. Nye.....	Oct. 16, '67	"
County Clerk.....	George M. Blake.....	Sep. 6, '65	1416	George M. Blake.....	Sep. 6, '65	1416	O. H. LaGrange.....	Sep. 4, '67	1351	O. H. LaGrange.....	Sep. 4, '67	1351
Recorder.....	Isaac A. Amerman.....	"	1216	Isaac A. Amerman.....	"	1216	Isaac A. Amerman.....	"	1365	Isaac A. Amerman.....	"	1365
Auditor.....	Isaac A. Amerman.....	"	"	Isaac A. Amerman.....	"	"	Isaac A. Amerman.....	"	"	Isaac A. Amerman.....	"	"
Sherrif.....	Isaac A. Amerman.....	"	1399	Isaac A. Amerman.....	"	1399	H. N. Morse.....	"	1446	H. N. Morse.....	"	1446
Tax Collector.....	Socrates Huff.....	"	1408	Socrates Huff.....	"	1408	R. A. McClure.....	"	1299	R. A. McClure.....	"	1299
Assessor.....	Socrates Huff.....	"	"	Socrates Huff.....	"	"	Isham Case.....	"	1354	Isham Case.....	"	1354
Coroner.....	Sabin Harris.....	"	1342	Sabin Harris.....	"	1342	W. B. Clement.....	"	1370	W. B. Clement.....	"	1370
Surveyor.....	W. F. Boardman.....	"	1359	W. F. Boardman.....	"	1359	W. F. Boardman.....	"	1359	W. F. Boardman.....	"	1359
Public Administrator.....	Duncan Cameron.....	"	1346	Duncan Cameron.....	"	1346	Charles Whipple.....	"	1351	Charles Whipple.....	"	1351
Superintendent of Schools.....	Charles E. Rich.....	"	1315	Charles E. Rich.....	"	1315	A. S. Fuller.....	"	"	A. S. Fuller.....	"	"
Supervisors.....	F. K. Shattuck, Oak'd Tp	"	218	F. K. Shattuck, Oak'd Tp	Sep. 5, '66	218	F. K. Shattuck, Oak'd Tp	"	453	F. K. Shattuck, Oak'd Tp	"	453
	John Green, Murray Tp	"	336	John Green, Murray Tp	"	336	J. M. Horner, Wash'n Tp	"	299	J. M. Horner, Wash'n Tp	"	299
	John Green, Murray Tp	"	201	John Green, Murray Tp	"	201	Dan. Inman, Murray Tp	"	120	Dan. Inman, Murray Tp	"	120
	R. S. Farrelly, Brook'n Tp	"	273	R. S. Farrelly, Brook'n Tp	"	273	J. B. Marlin, Eden Tp	"	241	J. B. Marlin, Eden Tp	"	241
	A. Cummings, Alameda Tp	"	233	A. Cummings, Alameda Tp	Sep. 22, '66	233	D. Cameron, Brook'n Tp	"	173	D. Cameron, Brook'n Tp	"	173
	W. B. Clement, " "	"	56	W. B. Clement, " "	Oct. 18, '65	56	E. N. Smith, Alameda Tp	"	55	E. N. Smith, Alameda Tp	"	55
Justices of the Peace.....	W. H. Southern, Brook'n Tp	"	69	W. H. Southern, Brook'n Tp	"	69	J. W. Clark, " "	Oct. 16, '67	62	J. W. Clark, " "	Oct. 16, '67	62
	Asa Walker, " "	"	97	Asa Walker, " "	"	97	J. C. Risdon, Brook'n Tp	"	143	J. C. Risdon, Brook'n Tp	"	143
	Joel Russell, Eden Tp	"	125	Joel Russell, Eden Tp	"	125	Asa Walker, " "	"	196	Asa Walker, " "	"	196
	G. E. Smith, " "	"	125	G. E. Smith, " "	"	125	J. Graham, Eden Tp	"	209	J. Graham, Eden Tp	"	209
	J. N. Mark, Murray Tp	"	43	J. N. Mark, Murray Tp	"	43	C. D. Rogers, Wash'n Tp	"	277	C. D. Rogers, Wash'n Tp	"	277
	A. Davidson, Oakland Tp	"	51	A. Davidson, Oakland Tp	"	51	J. W. Southern, Murray Tp	"	287	J. W. Southern, Murray Tp	"	287
	W. W. Whitteher, " "	"	86	W. W. Whitteher, " "	"	86	Tom. Scott, Murray Tp	"	28	Tom. Scott, Murray Tp	"	28
	J. E. Whitteher, " "	"	175	J. E. Whitteher, " "	"	175	Jas. Lenell, Oakland Tp	"	401	Jas. Lenell, Oakland Tp	"	401
	B. F. Ferris, " "	"	145	B. F. Ferris, " "	"	145	Geo. H. Fogg, " "	"	385	Geo. H. Fogg, " "	"	385
	C. B. Rogers, Washing-ton Tp	"	145	C. B. Rogers, Washing-ton Tp	"	145	Geo. H. Fogg, " "	"	184	Geo. H. Fogg, " "	"	184
	Geo. W. Bond, " "	"	99	Geo. W. Bond, " "	"	99	C. D. Rogers, Wash'n Tp	"	180	C. D. Rogers, Wash'n Tp	"	180
Constables.....	C. H. Hall, Alameda Tp	"	192	C. H. Hall, Alameda Tp	"	192	Geo. W. Bond, " "	"	168	Geo. W. Bond, " "	"	168
	Jas. Moffitt, Brooklyn Tp	"	207	Jas. Moffitt, Brooklyn Tp	"	207	J. D. Brower, Alameda Tp	"	73	J. D. Brower, Alameda Tp	"	73
	F. T. Clark, " "	"	266	F. T. Clark, " "	"	266	H. Faskings, " "	"	168	H. Faskings, " "	"	168
	J. W. Clark, Eden Tp	"	268	J. W. Clark, Eden Tp	"	268	O. Whipple, Brooklyn Tp	"	170	O. Whipple, Brooklyn Tp	"	170
	Frank Elliott, " "	"	89	Frank Elliott, " "	"	89	Wm. Eager, " "	"	237	Wm. Eager, " "	"	237
	L. Blanco, Murray Tp	"	288	L. Blanco, Murray Tp	"	288	O. P. Perkins, Eden Tp	"	223	O. P. Perkins, Eden Tp	"	223
	Geo. Johnson, " "	"	310	Geo. Johnson, " "	"	310	L. C. Morehouse, " "	"	17	L. C. Morehouse, " "	"	17
	W. T. Mills, Oakland Tp	"	185	W. T. Mills, Oakland Tp	"	185	Benj. Taylor, Murray Tp	"	497	Benj. Taylor, Murray Tp	"	497
	E. J. Smith, " "	"	152	E. J. Smith, " "	"	152	S. T. Bonner, " "	"	497	S. T. Bonner, " "	"	497
	O. S. Livermore, Wash-ington Tp	"	"	O. S. Livermore, Wash-ington Tp	"	"	W. H. Somers, Oak'd Tp	"	311	W. H. Somers, Oak'd Tp	"	311
	L. E. Keith, Wash'n Tp	"	"	L. E. Keith, Wash'n Tp	"	"	E. I. Smith, " "	"	295	E. I. Smith, " "	"	295

TABLE (Continued)

NAME OF OFFICER.	1870-1879.			1879-1881.			1881-1882.			1882-1883.		
	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.
State Senator	Edw. Tompkins	Sep. 1, '69	1417	Edw. Tompkins	Sep. 1, '69	541	Edw. Tompkins	Sep. 1, '69	390	Edw. Tompkins	Sep. 1, '69	950
Member of Assembly	E. D. Lewelling	"	1392	E. D. Lewelling	"	250	E. D. Lewelling	"	230	E. D. Lewelling	"	289
District Judge	Daniel Inman	"	1295	Daniel Inman	"	180	Daniel Inman	"	235	Daniel Inman	"	282
Superior Judge	Samuel Bell McKee	Oct. 25, '69	687	Samuel Bell McKee	Oct. 25, '69	213	Samuel Bell McKee	Oct. 25, '69	69	Samuel Bell McKee	Oct. 25, '69	452
County Judge	Stephen G. Nye	"	687	Stephen G. Nye	"	86	Stephen G. Nye	"	71	Stephen G. Nye	"	148
District Attorney	S. P. Wright	Sep. 1, '69	1419	S. P. Wright	Sep. 1, '69	541	S. P. Wright	Sep. 1, '69	390	S. P. Wright	Sep. 1, '69	950
County Clerk	G. E. Smith	"	1341	G. E. Smith	"	250	G. E. Smith	"	230	G. E. Smith	"	289
Recorder	B. S. Marston	Oct. 25 '69	786	B. S. Marston	Oct. 25 '69	180	B. S. Marston	Oct. 25 '69	69	B. S. Marston	Oct. 25 '69	452
Auditor	H. S. Morse	"	1534	H. S. Morse	"	213	H. S. Morse	"	71	H. S. Morse	"	148
Collector	R. A. McCreary	"	1324	R. A. McCreary	"	250	R. A. McCreary	"	230	R. A. McCreary	"	289
Treasurer	Edwin Hunt	"	1324	Edwin Hunt	"	180	Edwin Hunt	"	69	Edwin Hunt	"	452
Assessor	George H. Fogg	"	1324	George H. Fogg	"	213	George H. Fogg	"	71	George H. Fogg	"	148
Coroner	Luis Castro	"	1324	Luis Castro	"	250	Luis Castro	"	230	Luis Castro	"	289
Surveyor	W. P. Gibbons	"	1349	W. P. Gibbons	"	180	W. P. Gibbons	"	69	W. P. Gibbons	"	452
Public Administrator	W. F. B. Lynch	"	1318	W. F. B. Lynch	"	213	W. F. B. Lynch	"	71	W. F. B. Lynch	"	148
Superintendent of Schools	W. F. B. Lynch	"	1318	W. F. B. Lynch	"	250	W. F. B. Lynch	"	230	W. F. B. Lynch	"	289
Supervisors	A. C. Henry, Oakland Tp.	"	286	F. K. Shattuck, Oakland Tp.	Sep. 1, '69	541	F. K. Shattuck, Oakland Tp.	Sep. 1, '69	390	F. K. Shattuck, Oakland Tp.	Sep. 1, '69	950
	M. W. Dixon, Wash'n Tp.	"	292	M. W. Dixon, Wash'n Tp.	"	250	M. W. Dixon, Wash'n Tp.	"	230	M. W. Dixon, Wash'n Tp.	"	289
	Thomas Scott, Murray Tp.	"	176	Thomas Scott, Murray Tp.	"	180	Thomas Scott, Murray Tp.	"	69	Thomas Scott, Murray Tp.	"	452
	Wm. Haywood, Eden Tp.	"	231	W. J. Stratton, Eden Tp.	"	213	W. J. Stratton, Eden Tp.	"	71	W. J. Stratton, Eden Tp.	"	148
	Id. Cameron, Brooklyn Tp.	"	257	R. S. Lavelle, Brooklyn Tp.	"	250	R. S. Lavelle, Brooklyn Tp.	"	230	R. S. Lavelle, Brooklyn Tp.	"	289
	L. Fackling, Alameda Tp.	"	27	L. Fackling, Alameda Tp.	"	180	L. Fackling, Alameda Tp.	"	69	L. Fackling, Alameda Tp.	"	452
Justices of the Peace	W. B. Clement, Alam'da Tp.	Oct. 25, '69	72	W. B. Clement, Alam'da Tp.	Oct. 25, '69	213	W. B. Clement, Alam'da Tp.	Oct. 25, '69	71	W. B. Clement, Alam'da Tp.	Oct. 25, '69	148
	J. W. Clark, "	"	73	J. W. Clark, "	"	250	J. W. Clark, "	"	230	J. W. Clark, "	"	289
	J. C. Risdon, Brooklyn Tp.	"	91	J. C. Risdon, Brooklyn Tp.	"	180	J. C. Risdon, Brooklyn Tp.	"	69	J. C. Risdon, Brooklyn Tp.	"	452
	Asa Howard, "	"	115	Asa Howard, "	"	213	Asa Howard, "	"	71	Asa Howard, "	"	148
	Joseph Graham, Eden Tp.	"	204	Joseph Graham, Eden Tp.	"	250	Joseph Graham, Eden Tp.	"	230	Joseph Graham, Eden Tp.	"	289
	G. E. Smith, Murray Tp.	"	117	G. E. Smith, Murray Tp.	"	180	G. E. Smith, Murray Tp.	"	69	G. E. Smith, Murray Tp.	"	452
	J. N. McCreary, "	"	135	J. N. McCreary, "	"	213	J. N. McCreary, "	"	71	J. N. McCreary, "	"	148
	O. S. Livermore, "	"	324	O. S. Livermore, "	"	250	O. S. Livermore, "	"	230	O. S. Livermore, "	"	289
	Jas. Lennell, Oakland Tp.	"	324	Jas. Lennell, Oakland Tp.	"	180	Jas. Lennell, Oakland Tp.	"	69	Jas. Lennell, Oakland Tp.	"	452
	Geo. H. Fogg, "	"	371	Geo. H. Fogg, "	"	213	Geo. H. Fogg, "	"	71	Geo. H. Fogg, "	"	148
	C. J. Rogers, Wash'n Tp.	"	110	C. J. Rogers, Wash'n Tp.	"	250	C. J. Rogers, Wash'n Tp.	"	230	C. J. Rogers, Wash'n Tp.	"	289
	L. G. Gates, "	"	134	L. G. Gates, "	"	180	L. G. Gates, "	"	69	L. G. Gates, "	"	452
Constables	Joel Kay, Alameda Tp.	Sep. 1, '69	79	M. Combs, Alameda Tp.	Sep. 1, '69	213	M. Combs, Alameda Tp.	Sep. 1, '69	71	M. Combs, Alameda Tp.	Sep. 1, '69	148
	W. Valentine, "	"	126	W. Valentine, "	"	250	W. Valentine, "	"	230	W. Valentine, "	"	289
	Geo. Lewis, Brooklyn Tp.	"	101	Geo. Lewis, Brooklyn Tp.	"	180	Geo. Lewis, Brooklyn Tp.	"	69	Geo. Lewis, Brooklyn Tp.	"	452
	Jas. Mulgrave, "	"	177	Jas. Mulgrave, "	"	213	Jas. Mulgrave, "	"	71	Jas. Mulgrave, "	"	148
	A. R. Hall, Eden Tp.	"	230	A. R. Hall, Eden Tp.	"	250	A. R. Hall, Eden Tp.	"	230	A. R. Hall, Eden Tp.	"	289
	J. C. Morehouse, "	"	274	J. C. Morehouse, "	"	180	J. C. Morehouse, "	"	69	J. C. Morehouse, "	"	452
	J. W. North, Murray Tp.	"	155	J. W. North, Murray Tp.	"	213	J. W. North, Murray Tp.	"	71	J. W. North, Murray Tp.	"	148
	R. Paville, Murray Tp.	"	644	R. Paville, Murray Tp.	"	250	R. Paville, Murray Tp.	"	230	R. Paville, Murray Tp.	"	289
	W. J. Mayles, Oakland Tp.	"	644	W. J. Mayles, Oakland Tp.	"	180	W. J. Mayles, Oakland Tp.	"	69	W. J. Mayles, Oakland Tp.	"	452
	E. J. Smith, "	"	644	E. J. Smith, "	"	213	E. J. Smith, "	"	71	E. J. Smith, "	"	148
	Jas. A. Trefry, Wash'n Tp.	"	222	Jas. A. Trefry, Wash'n Tp.	"	250	Jas. A. Trefry, Wash'n Tp.	"	230	Jas. A. Trefry, Wash'n Tp.	"	289
	L. E. Keith, "	"	90	L. E. Keith, "	"	180	L. E. Keith, "	"	69	L. E. Keith, "	"	452

NAME OF OFFICE.	1873-1874.			1874-1875.			1875-1876.			1876-1877.		
	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.
State Senator.....	E. Gibbons.....	Sep. 3, '73	2153	E. Gibbons.....	Sep. 3, '73	73	James Beazell.....	Sep. 1, '75	2618	James Beazell.....	Sep. 1, '75	
Member of Assembly.....	I. A. Annerman.....		2168	I. A. Annerman.....			D. W. Dixon.....		2163	D. W. Dixon.....		
	W. J. Gurnett.....			W. J. Gurnett.....			T. F. Bagge.....		2399	T. F. Bagge.....		
County Judge.....	Samuel Bell McKee.....	Oct. 11, '71		Samuel Bell McKee.....	Oct. 21, '71	71	Samuel Bell McKee.....	Oct. 20, '75	2765	Samuel Bell McKee.....	Oct. 20, '75	
Superior Judge.....	Stephen G. Nye.....			Stephen G. Nye.....			Stephen G. Nye.....		2095	Stephen G. Nye.....		
County Clerk.....	A. A. Moore.....	Sep. 3, '73	2380	A. A. Moore.....	Sep. 3, '73	73	J. R. Glascock.....	Sep. 1, '75	3105	J. R. Glascock.....	Sep. 1, '75	
Recorder.....	B. S. Marston.....		2450	J. V. B. Goodrich.....			C. G. Reed.....		2941	C. G. Reed.....		
Auditor.....	P. R. Borein.....		2570	B. S. Marston.....			Thos. A. Smith.....		2941	Thos. A. Smith.....		
Sheriff.....	H. N. Morse.....		3833	P. R. Borein.....			H. N. Morse.....		2951	H. N. Morse.....		
Tax-Collector.....	C. Stevens.....		2179	R. S. Fareilly.....			Joseph Becht.....		2951	Joseph Becht.....		
Treasurer.....	R. C. Morehouse.....		2453	R. S. Fareilly.....			Joseph Becht.....		2951	Joseph Becht.....		
Comptroller.....	L. C. Morehouse.....		2453	L. C. Morehouse.....			Joseph Becht.....		2951	Joseph Becht.....		
Coroner.....	S. H. Mather.....		3225	S. H. Mather.....			Wm. Helmer.....		2584	Wm. Helmer.....	May 15, '76	
Surveyor.....	Luis Castro.....		3246	Luis Castro.....			Luis Castro.....		3015	Luis Castro.....	Sep. 1, '75	
Public Administrator.....	W. P. Gibbons.....		3299	W. P. Gibbons.....			C. B. Rutherford.....		3024	C. B. Rutherford.....		
Superintendent of Schools.....	W. F. B. Lynch.....		2254	W. F. B. Lynch.....			W. F. B. Lynch.....		2399	W. F. B. Lynch.....		
Supervisors.....	J. A. Neal, Dist. No. 1.....			Jas. Beazell, Dist. No. 1.....	Sep. 9, '74	189	Val. Alvizo, Dist. No. 1.....	Dec. 6, '75	139	Val. Alvizo, Dist. No. 1.....	Dec. 6, '75	
	H. Overacker, " No. 2.....		226	H. Overacker, " No. 2.....	Sep. 3, '73	73	H. Overacker, " No. 2.....	Sep. 3, '73	139	H. Overacker, " No. 2.....	Sep. 3, '73	386
	J. B. Marlin, " No. 3.....		418	J. B. Marlin, " No. 3.....			J. B. Marlin, " No. 3.....		139	J. B. Marlin, " No. 3.....	Nov. 1, '76	747
	Isaham Case, " No. 4.....		450	Isaham Case, " No. 4.....			Isaham Case, " No. 4.....		718	Isaham Case, " No. 4.....	Sep. 1, '75	
	W. B. Hardy, " No. 5.....		346	W. B. Hardy, " No. 5.....			Peter Pumey, " No. 5.....		718	Peter Pumey, " No. 5.....	Sep. 1, '75	
	P. S. Wilcox, " No. 6.....		326	O. H. Burnham, " No. 6.....	Sep. 9, '74	74	O. H. Burnham, " No. 6.....	Sep. 9, '74	74	O. H. Burnham, " No. 6.....	Sep. 9, '75	
	F. K. Shattuck, " No. 7.....		364	F. K. Shattuck, " No. 7.....	Sep. 3, '73	73	F. K. Shattuck, " No. 7.....	Sep. 3, '73	73	F. K. Shattuck, " No. 7.....	Nov. 1, '76	845
Justices of the Peace.....	M. Coombs, Alameda Tp.....	Oct. 15, '73	112	Horace Hoag, Alam'a Tp.....	Oct. 15, '73	73	J. W. Clark, Alameda Tp.....	Oct. 20, '75	185	J. W. Clark, Alameda Tp.....	Oct. 20, '75	
	Wm. Holtz.....		77	Wm. Holtz.....			C. M. Radcliff.....		163	C. M. Radcliff.....		
	J. E. Merritt, Brooklyn Tp.....		161	J. E. Merritt, Brooklyn Tp.....			J. B. Merritt, Brooklyn Tp.....		194	J. B. Merritt, Brooklyn Tp.....		
	Asa Howard.....		213	Sam. Wooten, Eden Tp.....			Asa Howard.....		275	Asa Howard.....		
	John Graham, Eden Tp.....		188	Sam. Wooten, Eden Tp.....			Samuel Wooten, Eden Tp.....		390	Samuel Wooten, Eden Tp.....		
	John Mark, Murray Tp.....		188	J. N. Marks, Murray Tp.....			J. A. Coats, Murray Tp.....		274	J. A. Coats, Murray Tp.....		
	Freeman.....		240	A. M. Church.....			A. M. Church.....		1220	A. M. Church.....		
	Jas. Lennell, Oakland Tp.....		532	Jas. Lennell, Oakland Tp.....			Jas. Lennell, Oakland Tp.....		1003	Jas. Lennell, Oakland Tp.....		
	Geo. H. Fogg.....		568	Geo. H. Fogg.....			Wm. M. Graham.....		1003	Wm. M. Graham.....		
	Wm. B. Geary, Wash'n Tp.....		116	Wm. B. Geary, Wash'n Tp.....			Henry Smith, Wash'n Tp.....		134	Henry Smith, Wash'n Tp.....		
	L. G. Gates.....		117	L. G. Gates.....			L. G. Gates.....		144	L. G. Gates.....		
Constables.....	H. S. Barlow, Alameda Tp.....	Sep. 3, '73	75	H. S. Barlow, Alameda Tp.....	Sep. 3, '73	73	S. Orr.....	Sep. 1, '75	131	S. Orr.....	Sep. 1, '75	
	Wm. Valentine.....		167	Wm. Valentine.....			Wm. Valent, Alameda Tp.....		219	Wm. Valent, Alameda Tp.....		
	W. Phelps, Brooklyn Tp.....		254	W. Phelps, Brooklyn Tp.....			J. W. Saill, Brooklyn Tp.....		273	J. W. Saill, Brooklyn Tp.....		
	H. Nederman.....		234	H. Nederman.....			Jas. Triplett.....		284	Jas. Triplett.....		
	A. R. Hall, Eden Tp.....		397	A. R. Hall, Eden Tp.....			G. H. Horn, Eden Tp.....		395	G. H. Horn, Eden Tp.....		
	E. Bryant.....		357	R. C. Morehouse, Murray Tp.....			J. Shirley, Murray Tp.....		395	J. Shirley, Murray Tp.....		
	R. Campbell.....		1447	R. C. Morehouse, Murray Tp.....			S. McConsey, Murray Tp.....		442	S. McConsey, Murray Tp.....		
	Wm. T. Myles, Oakld'd Tp.....		1060	Wm. T. Myles, Oakld'd Tp.....			R. Fawcett, Murray Tp.....		1273	R. Fawcett, Murray Tp.....		
	G. H. Tilley.....		255	G. H. Tilley.....			Wm. T. Myles, Oakld'd Tp.....		343	Wm. T. Myles, Oakld'd Tp.....		
	J. A. Trefry, Wash'n Tp.....		128	J. A. Trefry, Wash'n Tp.....			J. A. Trefry, Wash'n Tp.....		128	J. A. Trefry, Wash'n Tp.....		
	A. K. Henry.....			A. K. Henry.....			C. Neal.....			C. Neal.....		

TABLE (Continued)

SHOWING THE OFFICERS OF ALAMEDA COUNTY, AS COMPILED FROM THE RECORDS OF THE COURT OF SESSIONS AND BOARD OF SUPERVISORS, FROM 1853 TO 1883, INCLUSIVE.

NAME OF OFFICE.	1878-1879.			1879-1880.			1880-1881.		
	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.	Name of Holder.	When Elected.	Vote.
State Senator.	Nathan Porter	Sep. 5, '77	3712	John W. Boney	Jan. 2, '78		Stephen G. Nye	Sep. 3, '79	
Member of Assembly.	M. A. Dixon	"	3369	M. W. Dixon	Sep. 5, '77	5420	E. H. Pardoe	"	5420
	R. A. McClure	"	3385	R. A. McClure	"	3723	W. W. Camron	Nov. 11, '80	5841
District Judge.	John E. Farnum	"	3723	Samuel Bell McKee	Oct. 20, '75		Valentine Alvino	"	5894
County Judge.	Stephen G. Nye	"		Stephen G. Nye	"		L. B. Edwards	"	5837
District Attorney	Henry Vrooman	Sep. 5, '77	3914	E. M. Gibson	Apr. 3, '79		Addison M. Crane	Sep. 12, '79	
County Clerk	C. G. Reed	"	4243	C. G. Reed	Sep. 5, '77		W. E. Greene	"	5950
Recorder	P. R. Borein	"	3740	C. G. Reed	"		E. M. Gibson	Nov. 11, '80	5977
Auditor.	Jeremiah Tyrell	"	3592	Jeremiah Tyrell	"		Andrew Ryder	"	5910
Tax Collector	Chas. E. Palmer	"	4170	Chas. E. Palmer	"		P. R. Borein	"	5935
Treasurer.	Chas. E. Palmer	"	4170	Chas. E. Palmer	"		Andrew Ryder	"	5786
Assessor.	W. W. McKenzie	"	3359	W. W. McKenzie	"		Chas. E. Palmer	"	5946
Coroner.	Luis Castro	"	4037	Luis Castro	"		W. T. Hamilton	"	5771
Surveyor	C. B. Rutherford	"	4056	C. B. Rutherford	"		G. L. Nusbaumer	"	5948
Public Administrator	J. C. Gibson	"	4037	J. C. Gibson	"		C. B. Rutherford	"	5856
Superintendent of Schools.	John Green, Dist. No. 1	Sep. 1, '75	320	John Green, Dist. No. 1	Sep. 5, '77	215	John Green, Dist. No. 1	Sep. 5, '77	413
Supervisors.	H. Overacker, " No. 2	Sep. 1, '75	320	H. Overacker, " No. 2	Sep. 5, '77	215	H. Overacker, " No. 2	Sep. 5, '77	397
	W. C. Mason, " No. 3	Nov. 7, '76	54	W. C. Mason, " No. 3	Nov. 7, '76	54	W. C. Mason, " No. 3	Nov. 7, '76	395
	Peter Pompey, " No. 4	Sep. 1, '75	741	Peter Pompey, " No. 4	Sep. 5, '77	741	Peter Pompey, " No. 4	Sep. 5, '77	844
	John F. Smith, " No. 5	Sep. 5, '77	146	John F. Smith, " No. 5	Sep. 5, '77	146	John F. Smith, " No. 5	Sep. 5, '77	407
	J. B. Woolsey, " No. 6	Sep. 5, '77	112	J. B. Woolsey, " No. 6	Sep. 5, '77	112	J. B. Woolsey, " No. 6	Sep. 5, '77	579
	J. W. Clark, Alameda Tp.	Oct. 17, '77	260	J. W. Clark, Alameda Tp.	Oct. 17, '77	260	J. W. Clark, Alameda Tp.	Oct. 17, '77	478
Just ces. of the Peace.	E. O. Crosby	"	150	E. O. Crosby	"	150	E. O. Crosby	"	414
	A. B. Merritt, Brook'n Tp.	"	150	A. B. Merritt, Brook'n Tp.	"	150	A. B. Merritt, Brook'n Tp.	"	448
	Wm. Whiddell, Eden Tp.	"	183	Wm. Whiddell, Eden Tp.	"	183	Wm. Whiddell, Eden Tp.	"	359
	J. Collingridge, Eden Tp.	"	413	J. Collingridge, Eden Tp.	"	413	J. Collingridge, Eden Tp.	"	3020
	R. W. Graham, Mur'y Tp.	"	1168	R. W. Graham, Mur'y Tp.	"	1168	R. W. Graham, Mur'y Tp.	"	3514
	H. Diegens, Oakland Tp.	"	985	H. Diegens, Oakland Tp.	"	985	H. Diegens, Oakland Tp.	"	285
	John Yule, Oakland Tp.	"	1171	John Yule, Oakland Tp.	"	1171	John Yule, Oakland Tp.	"	435
	S. F. Daniels, " City	"	174	S. F. Daniels, " City	"	174	S. F. Daniels, " City	"	583
	Wm. Richmond, Wash'n Tp.	"	774	Wm. Richmond, Wash'n Tp.	"	774	Wm. Richmond, Wash'n Tp.	"	454
	L. G. Gates, " "	"	348	L. G. Gates, " "	"	348	L. G. Gates, " "	"	662
Constables.	S. Orr, Alameda Tp.	Sep. 5, '77	348	S. Orr, Alameda Tp.	Sep. 5, '77	348	S. Orr, Alameda Tp.	Sep. 5, '77	488
	G. H. Moulton, Brook'n Tp.	"	344	G. H. Moulton, Brook'n Tp.	"	344	G. H. Moulton, Brook'n Tp.	"	393
	A. G. Hall, Brook'n Tp.	"	666	A. G. Hall, Brook'n Tp.	"	666	A. G. Hall, Brook'n Tp.	"	386
	G. H. Hurley, Eden Tp.	"	328	G. H. Hurley, Eden Tp.	"	328	G. H. Hurley, Eden Tp.	"	442
	J. B. Shirley, " "	"	494	J. B. Shirley, " "	"	494	J. B. Shirley, " "	"	209
	S. M. Consky, Murray Tp.	"	1624	S. M. Consky, Murray Tp.	"	1624	S. M. Consky, Murray Tp.	"	
	Dani'l McCaw, " "	"	1624	Dani'l McCaw, " "	"	1624	Dani'l McCaw, " "	"	
	F. Buckley, Oakland Tp.	"	1624	F. Buckley, Oakland Tp.	"	1624	F. Buckley, Oakland Tp.	"	
	G. H. Tulley, " "	"	1624	G. H. Tulley, " "	"	1624	G. H. Tulley, " "	"	
	J. A. Trefry, Wash'n Tp.	"	1624	J. A. Trefry, Wash'n Tp.	"	1624	J. A. Trefry, Wash'n Tp.	"	
	O. L. Southwack, " "	"	1624	O. L. Southwack, " "	"	1624	O. L. Southwack, " "	"	

NAME OF OFFICE.	1831-1882.		1882-1883.	
	Name of Holder.	When Elected.	Name of Holder.	When Elected.
State Senator.....	Stephen G. Nye.....	Sep. 3, '79	G. E. Whitney.....	Nov. 7, '82
Member of Assembly.....	W. H. Pardee.....	Nov. 11, '80	E. A. Crosby.....	4566
District Judge.....	Valentine Alvord.....	"	W. B. Clement.....	4522
Superior Judge.....	L. B. Edwards.....	"	L. H. Brown.....	4845
	(Office abolished.)		L. H. Cary.....	4762
County Judge.....	Adison M. Crane.....	Sep. 3, '79	(Office abolished.)	4709
County Clerk.....	W. E. Greene.....	"	Adison M. Crane.....	"
Recorder.....	E. M. Gibson.....	Nov. 11, '80	Noble Hamilton.....	5206
Auditor.....	Andrew Ryder.....	"	S. P. Hall.....	Nov. 13, '82
Sherrif.....	P. R. Borein.....	"	Truman H. Allen.....	Nov. 7, '82
Tax-Collector.....	Jeremiah Tyrel.....	"	F. D. Hinds.....	4585
Treasurer.....	Chas. E. Palmer.....	"	Truman H. Allen.....	5181
Assessor.....	Chas. E. Palmer.....	"	Charles McClevery.....	4886
Surveyor.....	W. T. Hamilton.....	"	J. A. Webster.....	5085
Public Administrator.....	G. L. Nusbaumer.....	"	W. T. Hamilton.....	5100
Superintendent of Schools.....	C. B. Rutherford.....	"	Louis Gotschal.....	4996
Supervisors.....	John Green, Dist. No. 1	"	P. M. Fisher.....	5033
	H. Dusterberry, " No. 2	"	Thos. Holloy, Dist. No. 2	1894
	W. B. Clement, " No. 3	"	E. R. Jones.....	4344
	W. B. Clement, " No. 4	"	Hiram Bailey, " No. 3	358
	D. C. Brown, " No. 5	"	Henry Dusterberry, No. 4	375
	I. J. Hanfin, " No. 6	"	Malachi Fallon, " No. 5	759
	W. S. McClane, " No. 7	"	J. J. Hanfin, " No. 6	679
Justices of the Peace.....	E. O. Crosby, Alam'da Tp	Sep. 3, '79	Jas. Keys, " No. 7	1134
	B. G. Hunter, " "	Nov. 11, '80	E. O. Crosby, Alam'da Tp	304
	E. G. Bates, " "	"	C. G. Matthews, " "	557
	J. D. Austin, Ed'n Tp	"	G. W. Adams, " "	556
	C. B. Austin, Ed'n Tp	"	M. M. G. Inman, Ed'n Tp	378
	M. L. Rawson, " "	"	M. L. Rawson, " "	353
	R. W. Graham, Mur'y Tp	"	R. W. Graham, Mur'y Tp	554
	I. N. Mark, " "	"	I. N. Mark, " "	310
	A. M. Church, Oak'd Tp	"	E. A. Crosby, Oakland Tp	3068
	S. Daniels, " "	"	Ed'n Nusbaumer, " "	3187
	C. C. Jenks, " City	"	C. C. Jenks, " City	3093
	A. M. Bishop, " "	"	A. M. Bishop, " "	277
	E. A. Richmond, Wa'n Tp	"	E. A. Richmond, Wa'n Tp	317
	L. G. Gates, " "	"	Wm. A. Yates, " "	370
Constables.....	D. F. Chisholm, Alam'da Tp	"	Wm. Valentine, Alam'da Tp	359
	G. H. Moulton, " "	"	G. H. Crowell, " "	572
	A. G. Hamilton, Brooklyn Tp	"	W. H. Standish, " "	435
	G. H. Hamilton, " "	"	G. H. Horn, " "	422
	G. H. Houston, Ed'n Tp	"	J. A. Gallet, " "	361
	Wm. Smith, Murray Tp	"	Geo. Fitzgerald, Mur'y Tp	3207
	L. M. Lyster, " "	"	Wm. Harvey, " "	321
	A. S. Baker, Oakland Tp	"	J. F. Teague, Oakland Tp	430
	Rich'd Lloyd, Wash'n Tp	"	J. G. Links, " "	364
	J. A. Verdy, " "	"	J. A. Verdy, Wash'n Tp	430
	O. L. Southwick, " "	"	D. C. Hibbard, " "	354

NOTES—1853-1854.

1854, May 6—A. W. Swett to be Justice of the Peace *vice* John Stack, resigned.

NOTES—1857-1858.

- 1857, Oct. 5—John R. Wares to be Justice of the Peace, Washington Township, *vice* Bacon, received certificate of election in error
 " Nov. 2—William Hoskins to be Constable, Oakland Township, *vice* Wall, failed to qualify.
 " Nov. 3—Hiram Keeney to be Justice of the Peace, Eden Township, *vice* John Marshall, failed to qualify.
 1858, Feb. 15—Chas. Duerr to be Justice of the Peace, Murray Township, *vice* Pope, resigned.
 " Aug. 16—Asa Walker to be Justice of the Peace, Brooklyn Township, *vice* Luttrell, resigned.

NOTES—1858-1859.

- 1858, Nov. 9—M. McCollier to be Constable, Murray Township, Constable-elect failing to qualify.
 1859, Jan. 3—A. O. Bowen to be Constable, Washington Township, *vice* Lowell, failed to qualify.
 " May 3—Asa Walker to be Justice of the Peace, Brooklyn Township, *vice* Taylor, resigned.
 " Aug. 3—L. B. Tarpley to be Constable, Oakland Township, *vice* Crocker, resigned.
 " Aug. 18—C. C. Breyfogle resigns, and Jos. H. Watkins appointed County Treasurer.
 " Aug. 26—Joseph Scott to be County Treasurer, *vice* Watkins, deceased.
 " Sep. 3—Bond to be County Treasurer, *vice* Scott.
 " Oct. 5—John W. Carrick to be County Treasurer, *vice* Bond.

NOTES—1859-1860.

1860, Feb. 6—Benj. F. Ferris to be Justice of the Peace, Oakland Township, *vice* Marier, resigned.

NOTES—1861-1862.

- 1861, Dec. 23—Augustus Johnson to be Justice of the Peace, Washington Township, *vice* Marshall, deceased.
 1862, Feb. 17—J. G. VanArsdalen to be Constable, Eden Township, *vice* Rasmus, deceased.
 " April 6—B. N. Seymour to be County Sup. of Schools, *vice* Strong, removed from county.

NOTES—1862-1863.

- 1862, Sep. 3—Geo. H. Fogg to be Justice of the Peace, Oakland Township
 1863, Feb. 2—W. H. Souther to be Justice of the Peace, Brooklyn Township, *vice* Farrelly, failed to qualify.
 " May 4—J. H. Atwell to be Constable, Washington Township, *vice* Potter, resigned.

NOTES—1863-1864.

- 1863, Nov. 16—D. Cameron to be Justice of the Peace, Brooklyn Township, *vice* Walker, resigned.
 " Nov. 16—Stephen G. Nye to be Senator, *vice* W. W. Crane, Jr.
 " Oct. 19—A. G. Catlin to be Justice of the Peace, Eden Township, *vice* Crane, failed to qualify.
 May 2, 1864—Asa Walker to be Justice of the Peace, Brooklyn Township, *vice* Cameron, resigned.

NOTES—1865-1866.

1866, Sep. 24—Samuel Bonner to be Constable, Murray Township.

NOTES—1867-1868.

1867, April 13—Geo. H. Fogg to be Justice of the Peace, Oakland Township, *vice* Watson, resigned.

1868, May 11—H. P. Barlow to be Constable, Alameda Township.

" June 1—Geo. W. Huff to be Constable, Murray Township.

" "—Geo. H. Fogg to be Justice of the Peace, *vice* Whitcher.

NOTES—1868-1869;

1869, Feb. 1—L. J. Rector to be Justice of the Peace, Brooklyn Township, *vice* Warren.

" May 3—R. B. Cooley to be Constable, Eden Township, *vice* Perkins, resigned.

" "—C. J. Bond to be Constable, Washington Township, *vice* Livermore.

" "24—Asa Howard to be Justice of the Peace, *vice* Walker, deceased.

" Aug. 8—S. P. Wright to be District Attorney, *vice* LaGrange, resigned.

" "—R. Faville to be Constable, Murray Township, *vice* Huff, failed to qualify.

NOTES—1869-1870.

1870, Jan. 10—Thomas W. Millard to be Justice of the Peace, Washington Township, *vice* Rogers, resigned.

" Aug. 1—O. Whipple to be Constable, Brooklyn Township, *vice* Lewis, resigned.

" Sep. 5—M. Coombs to be Constable, Alameda Township, *vice* Kay, resigned.

NOTES—1870-1871.

1871, Sep. 18—J. W. McKee to be Justice of the Peace, Alameda Township, *vice* Clement, resigned.

NOTES—1872-1873.

1872, Dec. 2—G. E. Freeman to be Justice of the Peace, Eden Township, *vice* Smith, resigned.

" "30—Wm. Holtz to be Justice of the Peace, Alameda Township, *vice* Fitch.

1873, Feb. 5—John Ball to be Constable, Alameda Township, *vice* Coombs, translated to the office of Justice of the Peace there.

" Aug. 19—Thos. W. Millard, Washington Township, *vice* Mills, resigned.

NOTES—1873-1874.

1873, Nov. 11—Horace Hoag to be Justice of the Peace, Alameda Township, *vice* Coombs, deceased.

" Dec. 8—A. M. Church to be Justice of the Peace, Murray Township, *vice* Freeman, resigned.

1874, July 30—Geo. C. Potter to be Supervisor, District No. 6, *vice* Wilcox, resigned.

NOTES—1874-1875.

1874, Oct. 5—L. C. Morehouse to be Constable, Eden Township, *vice* Bryant, resigned.

" Nov. 2—James Triplett to be Constable, Brooklyn Township.

" March 8—Samuel McConky to be Constable, Murray Township, *vice* Campbell, resigned.

" "15—Ralph Faville to be Constable, Murray Township, *vice* Enwright, failed to qualify.

" July 7—Samuel Wooten to be Justice of the Peace, Eden Township, *vice* Graham, resigned.

NOTES—1875-1876.

1875, Nov. 15—C. Neal to be Constable, Washington Township, *vice* Henry, failed to qualify.

" Dec. 6—Valentine Alvino to be Supervisor, District No. 1, *vice* Bezell, resigned.

1876, May 8—G. H. Moulton to be Constable, Alameda Township, *vice* Valentine, resigned.

" "15—Chas. E. Palmer to be Treasurer, *vice* Becht, deceased.

" Aug. 28—A. Gildardin to be Constable, Brooklyn Township, *vice* Still.

NOTES—1876-1877.

1877, Jan. 8—Wm. Bolton to be Constable, Oakland City. Appointment declared informal and holder resigned.

" Sep. 29—J. B. Woolsey to be Supervisor, District No. 7, *vice* Chase, resigned.

NOTES—1877-1878.

1877, Nov. 26—R. W. Graham to be Justice of the Peace, Murray Township, *vice* Church, resigned.

" "—T. W. LeBallister to be Constable, Brooklyn Township, *vice* Triplett, resigned.

1878, Jan. 22—John W. Bones elected State Senator, *vice* Porter, deceased.

" Oct. 28—Seth Warner to be Justice of the Peace, Eden Township, *vice* Whidden, resigned.

NOTES—1878-1879.

1879, Feb. 3—W. P. Byler to be Justice of the Peace, Alameda Township, *vice* Clark, resigned.

" March 28—A. B. Lawson to be Constable, Oakland Township, *vice* Buckley, resigned.

" April 3—E. M. Gibson to be District Attorney, *vice* Vrooman, resigned.

NOTES—1879-1880.

1879, Nov. 19—Dennis Noonan to be Constable, Murray Township, *vice* McConky, resigned.

1880, Jan. 5—Asa Howard to be Justice of the Peace, Brooklyn Township, *vice* McLaughlin, failed to qualify.

NOTES—1880-1881.

1881, Jan. 10—W. S. Smith to be Constable Murray Township, *vice* Noonan, resigned.

" Jan. 17—J. H. Shirley to be Constable, Eden Township, *vice* Jackson, disqualified as a non-resident.

" March 14—J. M. Alvino to be Constable, Murray Township, *vice* Hewitt, resigned.

" May 16—A. B. Lawson to be Constable, Oakland Township, *vice* Ballard, resigned.

" Oct. 1—J. A. Webster to be County Treasurer, *vice* Palmer, resigned.

" "31—Jose H. Neal to be Constable, Murray Township, *vice* Alvino, resigned.

" Nov. 14—Henry Levy to be Constable, Oakland Township, *vice* Lawson, resigned.

" "—W. A. Yates to be Justice of the Peace, Washington Township, *vice* L. G. Gates, resigned.



B. Benedict

MEXICAN GRANTS.

EL VALLÉ DE SAN JOSÉ—RANCHO SAN RAMON—RANCHO SAN LORENZO—RANCHO SAN LEANDRO—EL SOBRANTE

—TABLE OF LAND CLAIMS—TABLE OF GRANTS.

IN glancing at the heading of this chapter, we must ask the reader not to indulge in the vain hope that a full history of the grants comprised within the confines of what is known as Alameda County will be found; such, indeed, would be beyond the limits of this work, even had we at hand the infinity of resources to be found in the hundreds of cases which have arisen out of them. Our compilation must of necessity be accepted in its crude form. We have striven to our utmost capacity to produce some information which would combine both usefulness and accuracy, and to this end have relied on the "Reports of Land Cases Determined in the United States District Court for the Northern District of California, June Term, 1853, to June Term, 1858, Inclusive, by Ogden Hoffman, District Judge"—a work which is now nearly out of print.

In addition to the information therein contained we append a table most courteously supplied to us by the Surveyor-General of the State of California, and which no doubt will prove both valuable and interesting.

THE UNITED STATES, *Appellants, vs. ANTONIO SUÑOL et al., claiming the Rancho El Vallé de San José.*—No objection made by the District Attorney to the confirmation of this claim.

Claim for a tract of land, supposed to contain eleven leagues, in Alameda County, confirmed by the Board, and appealed by the United States.

S. W. Inge, United States Attorney, for Appellants.

Crockett & Crittenden, for Appellees.

The validity of this claim was proved by the production of the original grant and the expediente from the archives. The expediente also shows that the grant was registered in the Secretary's office, and also, by order of the Governor, in the office of the Prefecture of the first district. Both the expediente and the grant produced by the claimant contain the certificate of registry, and of the approval of the grant by the Departmental Assembly.

The evidence shows a substantial compliance with the conditions, and the boundaries and extent of the granted land are clearly indicated by the description in the grant and the delineations on the map. No objection to the confirmation of this claim having been made by the District Attorney, we do not deem it necessary to recapitulate at length the preliminary proceedings before the Governor, nor to refer particularly to the evidence by which its validity has been established.

A decree affirming the decision of the Board must therefore be entered.

THE UNITED STATES, *Appellants, vs. JOSÉ MARIA AMADOR, claiming part of the Rancho San Ramon.*—The confirmation of this claim not disputed, claim for four

leagues of land in Alameda County confirmed by the Board, and appealed by the United States.

S. W. Inge, United States Attorney, for Appellants.

E. W. F. Sloan, for Appellee.

The Board of Commissioners have confirmed this claim without suggesting any doubt as to its entire validity.

The genuineness of the grant is not disputed, and it appears to have been approved by the Departmental Assembly. The conditions have been fully complied with, and the premises granted have been the family residence of the grantee from a period prior to the issuing of the grant, and he has continued to cultivate and improve his land down to the present time.

A part of his land has been conveyed by him to other parties, and he now asks for a confirmation of his claim to the remainder. A decree to that effect was made by the Board of Commissioners.

A decree must therefore be entered in this Court affirming the decision of the Board and confirming the claimant's title to the extent solicited.

THE UNITED STATES, *Appellants*, vs. BARBARA SOTO, *et al.*, *claiming the Rancho San Lorenzo*. This claim is valid for the land included within the boundaries named in the grant. Claim for one league and a half of land in Contra Costa (now Alameda County), confirmed by the Board, and appealed by the United States. The claim in this case is founded on two grants—one by Alvarado, dated October 10, 1842, and the other by Micheltorena, dated January 20, 1844, for the sobrante of half a league contained within the boundaries of the first. The land was described in the first grant as follows: "One league, a little more or less, in the tract called San Lorenzo, the limits of which are from the creek of that name to that called 'El Alto,' pertaining to Don Jesus Vallejo, and from this creek, drawing a right line to pass by the rodeo, to the beach, and from this point to the first ridge which the hills form, excepting the number of varas which have been conceded in said tract to Don Guillermo Castro, which shall be determined at the time of the possession." At the time the grant issued Castro was owner of a tract of six hundred varas square, upon which he resided. He, in October, 1843, obtained a concession of a larger tract which was described as bounded by the rancho of Soto on the side next the main road, it being considered that there has already been made a concession to the said Soto on the side towards the beach. The main road alluded to crosses the tract from creek to creek, and it was contended by Castro that the main road was the western boundary of his land, and that the grant to him was a virtual settlement of the line between him and Soto, which in the grant to the latter had been left for subsequent adjustment. Proceedings were instituted to settle this dispute, and it was finally determined by a compromise made with the approval of the Governor. The line as thus settled was described in a document drawn up for the purpose, which appears in the archives, and a copy of which is indorsed on both expedientes. The boundary of Castro, as thus settled, is as follows: 'Commencing on the sanjon (or ditch) where it is parallel with the southern side of Castro's house, and down the sanjon towards the main road six hundred varas, from which point where they conclude by a straight line to the San Lorenzo Creek. The boundary on the

other side of the sanjon is the margin (orilla) of the hills towards the plain, measuring ten varas up on the hills." These proceedings must be taken as a final and definite settlement of the eastern line of Soto's ranch, and as such it was acquiesced in and recognized by the parties. The line thus designated can, as appears from the proofs, be readily located, and the testimony of the neighbors, particularly that of Guillermo Castro, shows that the location as determined from the description in the agreement in no respect differs from the line as understood and recognized by the parties themselves and neighboring rancheros. On the 20th of January, 1844, Soto addressed a petition to the Governor, setting forth that the concession of the tract which he occupies, called San Lorenzo, expresses to have an extension of one sitio (league square), a little more or less; that the overplus which it may have towards the beach may be half a sitio, which he begs may be conceded to him, as, united with the other, it would be of much benefit to him. On this petition the Secretary reports that there is no objection to granting it, but that the petitioner must subject himself to the limits which his first title calls for, and to the agreement celebrated with Don Carlos Castro. On receiving this report the Governor acceded to the petition in the following words: "In conformity with the foregoing. Micheltorena." It is objected that this was not a valid grant of the sobrante or overplus. But, in the first place, it appears from the archives that the same formalities were rarely, if ever, observed in relinquishing a sobrante to the grantee within the general limits of whose grant it was found, as were deemed necessary in making an original concession or a grant of a sobrante to a stranger. The grant of a sobrante to him within whose limits it was found was little more than a waiver or release of the condition of the original grant, which restricted him to a specific quantity, and the original grant (that condition being struck out) would by its terms convey the whole land within the limits designated. At all events, there can be no doubt in this case that the Governor intended to accede to the petition, and the land having, under this grant, or promise to grant, been long occupied and enjoyed, and on all hands recognized as belonging to the grantee, the latter has, in any view, an equitable right which the United States are bound to respect. The important question, however, in the case, is as to the location of the southern boundary. The tract included within the original limits is claimed by the appellees to be in the form of a square, or parallelogram, and bounded on the east by the line between Castro and Soto as it was fixed by the agreement heretofore alluded to; on the south by the Alta and a line through the rodeo to the beach; on the west by the beach, and on the north by the San Lorenzo. It is contended on the part of the United States that neither the San Lorenzo nor the beach is a boundary of the tract, but that the southern line must be run from the point where the rodeo line or northern boundary strikes the beach, to the first ridge which the hills form. If such a line be drawn, it would form a diagonal to the square claimed by the appellees, and the tract would have a triangular shape, with the agreed line between Soto and Castro as its base on the east, and with its apex touching the beach at a mathematical point. The language of the grant has already been quoted. The words, which, it is contended, call for this location, are as follows: "And from this creek (El Alto) drawing a right line, to pass by the rodeo to the beach, and from this point to the first ridge which the hills form, excepting;" etc. It is claimed, and with much apparent reason,

that the last line must be drawn from the "point" where the rodeo here strikes the beach to the first cuchilla, or ridge: If the word "punta" had precisely the signification of the English word "point," as used in surveying, or if the grant had specified the "point" where the rodeo line strikes the beach as the point from which a straight line was to be drawn to the cuchilla for the southern boundary, the construction contended for would be unavoidable. But the language is "a straight line drawn to the beach, and from that point," etc. It does not in terms say "and from the point where said line strikes the beach;" it merely says "from that point" namely, from the beach. A reference to the beach generally by the term "punta" is certainly not in accordance with our use of language; but so far as I have been able to discover, such a construction of the term is not admissible in Spanish. If, however, there were no other guide to the intentions of the grantor, this construction might probably be deemed forced and unnatural. There are other considerations, however, which I think remove any reasonable doubt as to its propriety. In fixing the limits of land to be granted, both the law and usage of the Californians required them to adopt, as nearly as possible, a rectangular or square figure. This was not in all cases practicable, but in a country used almost exclusively for grazing, and where no fences were built, it became necessary to designate great natural objects as the boundaries of the tracts conceded. It seems therefore extremely improbable that in this instance the natural and obvious boundary afforded by the shore of a great estuary should be wholly neglected, and the land should assume the form of a triangle, having only a mathematical point at its apex resting on the beach, while one of the sides should diagonally cross the center of a large plain with no visible object throughout its length, except at its extremities, to determine its location. This is the more improbable as the whole of the neighboring land had been before, or was subsequently, granted, and the piece of land excluded by the diagonal line alluded to, if not embraced within the grant to Soto, has remained from some unexplained reason the only piece of ungranted land in the vicinity. The original grant to Soto was for one league, within the limits specified. He subsequently, as we have seen, obtained the sobrante of about half a league more. This was after the boundary between him and Castro had been fixed. Taking, then, that boundary as determined, there is found within the limits as claimed by him, about one square league and a half, precisely the quantity granted to him in the two grants. But if the diagonal line be drawn as proposed, he would have but about two-thirds of a league in all, leaving his sobrante grant wholly inoperative, for even his first grant of one league could not be satisfied out of the tract so limited. It is to be borne in mind that Soto did not petition for an augmentation or extension, but for a sobrante or overplus—the excess within the original boundaries over and above the quantity to which he was restricted. This excess he states to be about half a league, while he also mentions that his first grant was for one league. If, then, the limits of the land as designated in his grant, after the Castro line was fixed, included less than a league, as is now contended, the petition for a sobrante of half a league more within those limits was absurd. Had he or the Governor supposed that the quantity already granted could not be found within the limits of the tract, it is not to be imagined that one would have asked for and the other conceded half a league more within those limits. In such case he would have asked for, not a sobrante, but an augmentation, and

would have obtained his additional quantity outside of and beyond his original boundaries. The fact that the land, according to the boundaries he contends for, is almost exactly the quantity (one league and a half) granted to him, seems to me almost conclusive as to what he intended to ask for, and the Governor to give. The value of land to the former inhabitants of this country, in a great degree, depended upon the existence of abundant supplies of fresh water, or "agua dulce," for cattle. The line proposed would not only form an acute angle at the beach, but would touch the San Lorenzo Creek only at a single mathematical point, thus cutting off all access to that stream, and either depriving the rancho altogether of fresh water, or else affording it at the El Alto alone for a short distance. The adjoining rancho at the south is bounded by the San Lorenzo, and it is impossible that in fixing the limits of a cattle rancho access to that stream should have been denied to Soto, when the land between his rancho and it was unoccupied and ungranted, and the Governor was willing, on his mere suggestion, to increase the quantity given him by an additional half league. If with these considerations in our minds we recur to the grant, its intention is obvious. It does not profess to give the boundary lines except on one side of the tract, but "its limits." Its longitudinal limits are declared to be from the San Lorenzo to the Alto, and the rodeo line to the beach. Having thus determined its length, the grantor indicates its breadth, viz.: from the beach to the first crest of the hills. He does not mention any point in the crest of the hills, which would have been natural if he had intended to fix as a southern boundary an imaginary straight line drawn from the point where the rodeo line struck the beach to the crest; and the indefiniteness of his description, referring as it does to a line on the summit of a range of hills, rather than to a point on those hills, seems to show that the intention of the grantor was merely to fix the latitudinal limits of the tract, viz.: the beach and the crest; rather than to describe a line as a precise boundary. But all doubt on this subject is removed, if the *diseño* produced be received as the original on which the grant was made. It is shown beyond any reasonable doubt that it was, with the other title-papers, placed in the hands of eminent counsel in this city, in whose custody it has ever since remained. By some oversight it was not put in evidence before the Board, but A. M. Pico, Francisco Arce, and G. Castro, testify that it is either the identical map or one exactly resembling that which was handed to Pico when about to give judicial possession to Soto. This map is unusually rude, but the form of the tract is sufficiently indicated to show it to be a square or parallelogram, with the beach as its western boundary. A further confirmation of these views is found in the report of Jimeno, at the time of the dispute between the Governor and Castro. "It appears to him," he says, "convenient to measure to Soto the league, more or less, which has been granted him from the beach to the 'lomas,' or hills, but always on the side of the Arroyo del Alto, because those are the limits which have been marked out, and from these limits he should follow those of Don G. Castro." He was thus, according to Jimeno, to have a league on the side of the Alto, from the beach to the hill, and from the Alto to the San Lorenzo, following Castro's boundary. The *sobran*te, after measuring the league, would have lain between the beach and the San Lorenzo, and would have been, as the testimony shows, about half a league in extent, if measured after the Castro line was deter-

mined, and it was precisely this sobrante of half a league which Soto asked for and obtained. If to all this be added the fact that Soto himself always claimed, and was regarded by his neighbors as owning, the whole tract between the beach and the Castro line, and between the Alto and rodeo line and the San Lorenzo, the conclusion is irresistible that such are the true boundaries of the grant. The Board confirmed the claim to the land within these boundaries, and I see no reason to reverse their decree.

THE UNITED STATES, *Appellants*, vs. *The heirs of JOSÉ JOAQUÍN ESTUDILLO, claiming the Rancho San Leandro.* Where the description contained in a grant, and the circumstances of the case, justify the belief that the intention was to grant all the land included within the boundaries named. Then the words "poco mas ó menos" (a little more or less) must be construed as operative to pass to the grantee such fractional part of a league as may be found in excess of the quantity named in the grant.

Claim for one league of land in Alameda County, confirmed by the Board, and appealed by the United States.

This claim was confirmed by the Board. It has recently undergone so full an examination in the ejectment suit brought in the Circuit Court, that I conceive it unnecessary to consider at length the testimony by which its genuineness is established. On the whole, after an attentive consideration of the additional testimony taken in this Court, I incline to the belief that the grant issued as alleged by the claimant, although the non-production of the original grant and the fact that the order of concession is unsigned, leaves some room for doubt on this point. It appears to me evident that the grantor intended to fix as the limits of the tract, the San Leandro, the sea, and the diramaderos or overflowing of the springs. On the fourth side the boundary is designated as "a straight line from the diramaderos to the San Lorenzo, but so drawn as not to include the Indian cultivations." This line was, from the terms of the grant, to be a straight line, and should be drawn to the nearest point of the San Lorenzo to which it can be drawn without including the Indian cultivations; whether that line will thus take a southerly or a southwesterly direction will depend upon the extent of the Indian cultivations. Such has seemed to me, after much consideration, the true construction of the grant and diseño in this case, and such was the view taken of it by the Circuit Court and by the Board of Commissioners. But the difficult question in the case is that presented by the words "poco mas ó menos." It is certainly not easy to say what precise effect they were intended to have. Some operation should clearly be given them, unless they are so hopelessly vague and uncertain as to admit of no definite construction. The grant surveys to the grantee "a part of the land known as San Leandro," and proceeds to define the boundaries with more than ordinary precision. The third condition states the land of which donation is made to be one square league, a little more or less, (*poco mas ó menos*), directs it to be measured, and reserves the surplus. The quantity of land contained within the boundaries will probably exceed one league by a considerable fraction. Ought then the words "poco mas ó menos" to be rejected for uncertainty, and the grantee in this and all similar cases to be limited to the precise quantity of one league, no matter how small the gore or strip of land in excess may on measure-

ment be found to be; or are we at liberty to construe the words referred to as embracing such fractional part of a league as may be found within the boundaries? The question is one of intention on the part of the grantor. In most instances the description in these grants was obviously intended to designate the tract out of which the granted quantity was to be taken, rather than to indicate the limits of the land granted. In some cases, on the other hand, the boundaries are indicated with much precision, and the mention of quantity is obviously rather a conjectural estimate of its extent than intended as a limitation of the grant to the quantity mentioned; and yet in these cases the *sobrante* clause is added apparently from habit, or because no pains were taken to vary the form of the grant according to the circumstances of particular cases. The English equivalent for the words "*un sitio, poco mas ó menos*," would perhaps be given by the phrase "about one square league." Where under our system a grant specifies the boundaries of the land which it conveys in absolute terms, the subsequent mention of its extent as of "about one square league," with a reservation of the surplus, would probably be inoperative. It may plausibly be argued, that if any part of the grant is rejected for uncertainty, the whole phrase (*un sitio, poco mas ó menos*) should be rejected, and not merely the indefinite words which terminate it. Certainly, if the expression were in English "about one league," the Court would hardly strike out the word "about" and construe the words "one league" as indicating that precise quantity—not to be exceeded by a foot. It has on the whole seemed to me that where the grant describes in its granting clause a particular piece of land, with definite or ascertainable boundaries, and the condition mentions the extent of the land so granted as of so many leagues, "more or less," the latter expression should be so construed as to embrace such additional fractional part of a league as may on measurement be found within the boundaries. There is certainly some difficulty in determining what quantity shall by this clause be deemed to pass. To allow under a grant of one league, more or less, three or four or five leagues to pass, would evidently be unreasonable, unless the condition be rejected in toto. It would seem equally unreasonable to restrict the grantee to the precise quantity of one league as determined by an accurate survey, and to take from him a gore of land, perhaps a few yards in width, along one side of his rancho, and which is clearly embraced within the boundaries as mentioned in his grant. I think the words should be allowed a reasonable operation, and that where the description contained in the grant, the previous proceedings, and the circumstances of the case justify the belief that the grantor's general intention was to grant all the land within the boundaries, the words "*poco mas ó menos*" should be construed to embrace such fractional part of a league as might be found to be in excess of the specified quantity. The Circuit Court and the Board were of opinion that in the grant under consideration, the excess, such as it was shown to be, passed to the grantee, and in that opinion I concur. A decree must be entered affirming the decision of the Board.

INOCENCIO ROMERO *et al.*, claiming *El Sobrante*, Appellants, vs. THE UNITED STATES.—Claim for five leagues of land in Contra Costa County, rejected by the Board, and appealed by the United States. It appears from the expediente on file in the archives, that on the 18th day of January, 1844, the brothers Romero petitioned

the Governor in the usual form for a grant of land, being a sobrante lying between the ranchos of Moraga, Pacheco, and Welch. This petition was by a marginal order referred to the Honorable Secretary for his report. The Secretary referred the papers to the First Alcade of San José, with directions to summon Moraga, Pacheco, and Welch, hear their allegations, and return the papers to the office. On the 1st of February, 1844, the First Alcalde reports that the owners of the lands bounded by the tract have been confronted with the petitioners, and that the former are willing and desirous that the land be granted. He adds that it had come to his knowledge that one Francisco Soto claimed the tract some six or seven years ago, but as he had never used nor cultivated it, the petitioners appeared to him to be entitled to the favor they ask. On the 4th of February, 1844, Manuel Jimeno, the Secretary, reports to the Governor that, in view of the report of the First Alcalde, there would seem to be no obstacle to making the grant. On this report of the Secretary, the Governor makes the following order: "Let the Judge of the proper district take measurement of the unoccupied land that is claimed, in presence of the neighbors, and certify the result, so that it may be granted to the petitioners.—Micheltorena." On the 21st of March, 1844, the claimants addressed a petition to the Governor, representing that, owing to the absence of the owners of the neighboring lands, the Judge of the Pueblo of San José had been unable to execute the superior order (above recited), and soliciting that his Excellency would grant the tract to them, "either provisionally, or in such way as he would deem fit," while there was yet time for planting, etc. On this petition Jimeno reports (March 23, 1844) that the original order should be carried into effect as to the measurement of the land, and that "as soon as that was accomplished, Señor Romero can present himself with Señor Soto, who says he has a right to the same tract." The Governor thereupon made the following report: "Let everything be done agreeably to the foregoing report.—Micheltorena." The above documents constitute the whole expediente on file in the archives. From the documents produced by the claimant from the files of the Alcalde's office, it appears that on the same day, March 23, 1844, Jimeno communicated to the Alcalde the order of the Governor that the sobrante solicited by the Romeros should be measured, and that if it should be necessary a measurement of the adjoining ranchos should also be made—with the understanding that those parties who should become "agraciados" should bear the expense. It is evident that up to the date of the last order of Micheltorena no grant of the land had issued. That pursuant to the recommendation of Jimeno, the Governor declined to make even a provisional grant as solicited, and that final action in the matter was deferred until a measurement should be made, and until Romero and Soto should present themselves. Jimeno does not seem to have finally adopted the opinion of the Alcalde that Soto had forfeited his rights to the land, for he recommends to the Governor, as we have seen, that the land should be measured without delay, and that *then* "Romero should present himself, joined with Señor Soto, who *says he has a right to the same land.*" In this recommendation the Governor concurs. There is certainly nothing in these proceedings which indicate that the Governor had finally determined to grant the land, though it is evident that he regarded the application with favor; still less can any of the orders made by him be construed to import a present grant. On the contrary, it is clear that the Governor refuses to make even a provisional



Yours Truly
J. W. Pinkerton M.D.

grant, but insists that a measurement shall first be made, and then that Romero and Soto shall appear before him, evidently with the view of determining the rights of the latter.

The subsequent proceedings, as shown by documents exhibited by the claimants, confirm this view. On the 15th of January, 1847, Romero and Garcia, the present claimants, appeared before John Burton, the Alcalde of San José, and executed a paper in the presence of the Alcalde and two witnesses, reciting a sale by Romero to Garcia of one-half of the land, and stipulating that both parties should remain *subject* to the final result, "if the Governor grant it in ownership." And if the contrary should be "the case, then Garcia should lose equally with Romero, without any right to reclaim the consideration paid." This paper is signed by the parties, the Alcalde, and the witnesses. On the 28th of May, 1847, José Romero addressed a petition to John Burton, Alcalde of San José, representing that, as early as 1844, an order from the former Governor had been sent to the Alcalde's Court requiring a measurement of the land called "Juntas;" that such measurement had not yet been made. He therefore solicits the Alcalde to give him a testimonial of the reports, which, in the year 1844, were sent to the Government, so "*that we can be granted said land.*" The Alcalde in a marginal order directs that the lands should be measured according to the original order of the Supreme Government. In the margin of the order transmitted by Jimeno, under date of March 23, 1844, the Alcalde writes: "Be it done accordingly on the 9th of April, 1847. The interested parties will proceed to take possession of the mentioned land according to the order of the Governor. I further order, that in case any bordering land-owner demand it, a measurement of his land be ordered. John Burton, J. P." It appears, moreover, that about two months before the date of their last petition, viz.: on the 31st of March, 1847, José Romero had addressed a petition to the same Alcalde, representing that some years before he had solicited a piece of land in the Cañada de San Ramon, and bordering upon lands of Don M. Castro, and that His Excellency had ordered the lands of Castro to be measured, which had never been done. The petitioners further stated that they were two brothers, with a numerous family, and were without any piece of land whatever to raise cattle; they therefore begged the Alcalde to provide for them as soon as possible, that they might retain and locate their stock. The Alcalde on the 5th of April orders that the fulfillment of the superior order should be at once proceeded to. The entry in the marginal order transmitted by Jimeno was made on the Romeros' petition of the 23d of March, and not on that of the 28th of May, above referred to; for it directs the measurement to be proceeded to on the 9th of April. And, finally, on the 27th of December, 1847, K. H. Dimmick, then Alcalde, makes an order in which, after reciting that disputes as to the boundaries existed between the Romeros and Domingo Peralta, he directs that the boundaries be established and adjusted in the manner specified in the order of the Governor, dated 23d of March, 1844. I have stated the contents of these various documents with some particularity, because an attempt has been made since the rejection of the claim by the Board, to show by parol evidence that a final grant issued to the Romeros, which has been lost. We have seen that the last document in the expediente is the order of the Governor of the 23d of March, 1844, adopting Jimeno's recommendation that a measurement should be made before issuing the final

grant, or even a provisional one, as solicited by Romero; and even then it does not seem that the grant was certainly to be made, for Romero and Soto were to "present themselves," evidently for the purpose of enabling the Governor to ascertain their respective rights. Nothing further seems to have been done, either by the Government or the petitioners, until 1847. On the 31st of March of that year we find the Romeros representing to the Alcalde that the Governor had some years before ordered the land to be measured, which had not been done; and that they were without any piece of land whatever, and they begged the Alcalde to provide for them. The Alcalde thereupon directs that the superior order of March 23, 1844, be proceeded to. On the 28th of May, 1847, the Romeros again petition the Alcalde, representing that as early as 1844, the Governor had sent to the Alcalde's Court an order requiring a measurement of the land; they therefore ask a testimonial of the reports and orders in his office, "so that *we may be granted the land.*" The Alcalde again directs the superior order of March 23, 1844, to be complied with, and on the following day a declaration is made before the Alcalde by Antonio M. Pico, that Don J. Moraga and Don L. Pacheco, the colindantes, had declared that for their parts the surplus of land which does not belong to them "*could be granted to the Romeros.*" And, finally, the deed from Romero to Garcia of January 15, 1847, expressly stipulates that both the parties to it should remain subject to the final result, "*if the Governor grant it in ownership, and if the contrary should be the case, then Garcia should lose equally with Romero without reclamation.*" These documents appear to me to establish beyond doubt that all action of the Government on the application of the Romeros terminated with the order of March 23, 1844, directing the measurement as an indispensable preliminary to a grant, either final or provisional. That during the year 1847, the petitioners made several attempts to have that measurement effected, but apparently without success; and that up to December, 1847, neither they nor any one else pretended that the order of March 23, 1844, was not the last Act of the Government in the premises. The parol testimony offered to prove that a grant issued will be briefly adverted to. C. Brown swears that the Romeros have lived on the rancho since 1840, and that he always understood they had a grant. He does not pretend to have seen it. James M. Tice swears that he has searched for the title-papers, but has been unable to find them. J. J. P. Mesa saw a bundle of papers in Romero's hands on his return from Monterey, in 1844. The bundle was not opened, but Romero *said* they were his title-papers. He subsequently saw Micheltorena's order for the measurement of the land. He does not pretend to have seen any grant. It is to be observed that Mesa was examined before the Board, and did not mention this circumstance; and that he can neither read nor write. Inocencio Romero, who disclaims any present interest in the land, swears that he had a grant; that he gave it to Mr. Tingley to be presented to the Board, and that since then he has not seen it. He also states that the grant was made by Micheltorena a short time after he arrived in the country, and that Arce, who was then his Secretary, delivered it to him. The expediente, however, shows that Jimeno was the Secretary, at least until March 23, 1844. And as it is clear that at that date the grant was suspended until a measurement should be made, the title-papers seen by Mesa in the hands of Romero on his return from Monterey in 1844, must have been the papers now produced.

The testimony of Mr. G. B. Tingley is the only evidence in the cause which approaches proof that a grant issued. This witness swears that on the trial of a suit between Domingo Peralta and the Romeros, a grant from Micheltorena to the latter was produced in evidence; that the petition was for a sobrante; that the signatures were genuine; and that one Sanford took the papers, and he has never seen them since. On his cross-examination he states that the papers produced were the original petition, and the marginal order of reference an information signed by A. M. Pico, then a decree of concession, and final a title in form, with a condition that the grant should not interfere with the adjoining grants. If these papers were produced, they must all, with the exception of the grant, have been procured from the archives, for the petition, the informes, and the decree of concession form part of the expediente which remains on file. That expediente is in evidence in this cause, and contains no decree of concession whatever, nor any draft or "borrador" of the formal title delivered to the party, as is almost invariably the case where such a document issued; on the contrary, the last order of the Governor, in effect, refuses, as we have seen, to grant the petition for even a provisional title until a measurement was made, which clearly was not done until after December, 1847, if at all. Besides, if all these papers were produced from the archives and were delivered to Sanford, how does it happen that only a part of them were restored to the archives, and are now produced? José Ramon Mesa, a witness produced on the part of the United States, testifies that he was present at the trial of the suit referred to by Mr. Tingley; that no formal title was produced by the Romeros, but only a provisional license to occupy, subject to the boundaries of the neighboring proprietors, during the pendency of the proceedings to obtain a title. The witness further swore that he heard Inocencio Romero state to Domingo Peralta, in reply to an inquiry as to what title he had, that he had no title; and that he had intended to take steps to get one, but that all he had was a "provisional license." This provisional license is in all probability the order made by John Burton, Justice of the Peace, in April, 1847, on the margin of the Governor's order of March 23, 1844, for the measurement of the land, and was in compliance with Romero's petition to him of the 31st of March, 1847. The Justice of the Peace directs that "the interested party will proceed to take possession of the land, according to the order of the Government," etc. As a copy of Jimeno's order, with this marginal entry of Burton's, appears to have been furnished to Romero, and by him sent to Garcia, it is in all probability the "license" referred to. It will not be pretended that any rights could be conferred by such an order of an American Justice of the Peace in April, 1847. The record of the suit between Peralta and the Romeros has been produced. It contains no evidence whatever even tending to show that a grant was produced at the trial. Antonio M. Pico, a witness produced by the claimants, swears that he received an order from the Governor to put the coterminous neighbors, Pacheco and Moraga, into possession of their land, and to measure the same for the purpose of separating them from those of the Romeros; that he was directed by the same order to put the Romeros in possession of the surplus; that he summoned the colindantes, but they did not appear; that he did not then execute the order, but repeated the summons to them; that the Romeros made a complaint to the Governor, and he, the witness, received from the latter a new order to carry the former into

effect, upon which he told the Romeros to go there—which they did in 1844. This witness explicitly states that no title to the land in favor of the Romeros was ever exhibited to him. The orders referred to by Pico are obviously those contained in the expediente. The first order did not, as he supposes, direct him to put the Romeros in possession, but only to measure the land and certify the result, "so that it might be granted." Romero's complaint or petition to the Governor stating the failure of the Alcalde to measure the land, and asking for a provisional grant, we also find in the expediente, and also the second order of the Governor, which, like the former, only directs the measurement of the land—the Governor having, as we have seen, adopted Jimeno's recommendation that the land should be measured, and Soto and Romero should present themselves before any grant should issue. On the parol proofs alone I should come to the conclusion that Mr. Tingley is mistaken in supposing that a grant for the land was ever produced. But the evidence afforded not only by the expediente, but by the repeated declarations of the Romeros themselves in their various petitions and in the conveyance to Garcia, removes every possible doubt on the question. The facts of the case are unmistakable. The Romeros solicited land, which the Governor was disposed to grant. He directed a measurement preparatory to making the grant, and this measurement never was effected. I cannot perceive how this Court can recognize these proceedings as giving any title to the lands. It may be admitted that in 1844 they went upon the land, as stated by Pico—though, if so, it is singular that John Burton, Alcalde, should, in April, 1847, have ordered "the interested parties to proceed to take possession of the mentioned lands, according to the order of the Government." But this occupation, not authorized, so far as it appears, by the Government, and only made in pursuance of a verbal permission of Pico, and without the measurement of the land, as required by both orders of Micheltorena, can hardly be deemed to have conferred any title, either legal or equitable, upon the claimants. The case is, perhaps, a hard one, for there seems no reason to suppose that the grant would have been refused if the measurement had been made and Soto's rights had been found to have been forfeited. But no grant, either perfect or inchoate, was made, nor any promise given that one should be made. The petitions were favorably received, a provisional grant refused, and a measurement directed. There the action of the Government ended, and certainly such proceedings did not confer such a right of property in the land as this Court can recognize. The claim must be rejected. (June Term, 1857.)

DECISION OF THE SECRETARY OF THE INTERIOR IN THE MATTER OF THE SURVEY OF THE RANCHO EL SOBRENTE, IN CALIFORNIA.

DEPARTMENT OF THE INTERIOR,)
WASHINGTON, February 23, 1882. }

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE—*Sir*: I have considered, on appeal from the decision of your office of February 26, 1881, the matter of the survey of the California private land claim known as El Sobrante Rancho, situate in the counties of Contra Costa and Alameda, and confirmed to Juan José and Victor Castro by the Board of Land Commissioners and the United States District Court for the Northern District of California, under the Act of Congress approved March 3, 1851 (9 Stats., 631).

Such facts appearing of record in your office, as are necessary to a proper understanding of the main questions presented for consideration, will be stated as briefly as practicable.

On the 26th of May, 1852, the said Juan José and Victor Castro, by their attorneys, H. W. Carpentier and John Wilson, filed in the office of the said Board of Land Commissioners a petition in which they set forth, among other things, that on the 22d of April, 1841, they presented their joint petition to Juan B. Alvarado, then Governor of Upper California, "for a grant of all the vacant (*sobrante*) land lying between the Ranchos San Antonio, San Pablo, Pinole, Valencia, and Moraga, being the surplus or overplus left between the said ranchos after the boundaries to the Ranchos" should "be ascertained and settled;" that "on the 23d of April, 1841, the said Alvarado, so being Governor, and having full power and authority to do so, granted the land as prayed for in the said petition," and directed the petitioners "to appear anew before the proper authority with a map of the land so asked * * * as soon as the boundaries of the Ranchos named in said petition * * * should be ascertained, regulated and settled;" that they had always been ready to comply with the direction of the Governor to present themselves anew to the proper authority, with a map of the land thus conceded to them, but that the boundaries of the ranchos named had not been ascertained and settled; that "the said Victor, several years before the date of the grant, had settled upon the land so granted them, had built and resided in a house, and cultivated fields thereon;" that both the petitioners "pastured their cattle, horses, etc., upon it," the land granted, "before the grant was made," and had continued to do so ever since; that the said Victor had "constantly since resided thereon," and had cultivated three different ranchos thereon, and had, for the last fourteen years (prior to presentation of the petition to the Board), "had and held (and which was known to the owners of the neighboring ranchos mentioned in the grant * * *) exclusive and continued possession thereof;" and the petitioners prayed that they might "be allowed to intervene in the cases arising out of the said ranchos when the boundaries thereof" were to be investigated, so that justice might be done them and they obtain "all the vacant (*sobrante*) land lying between the said ranchos after their boundaries are properly adjudged and regulated," and that their grant might be confirmed and made valid to them "according to the full intent of the grant at the time the same was made." (Record of Petitions, vol. 1, p. 460, *et seq.*, Land Commission of California.)

On the same day, to wit, May 26, 1852, the Castros filed another petition, in which they represented, as before, that they had petitioned for a grant April 22, 1841, of "all the vacant (*sobrante*) land lying in between the Ranchos of San Antonio, San Pablo, Pinole, the ranch of Valencia, and the ranch of Moraga, being the overplus lying between these several ranchos, which lie in the county of Contra Costa;" that on the 23d of April, 1841, the Governor granted the same to them, "as they petitioned," and directed them to "present themselves anew before the proper authority, accompanied by a map of the land so granted, so soon as the boundaries of the ranchos named should be ascertained and settled; * * * but that the boundaries of the said ranchos" had never been ascertained and settled. They therefore prayed the Board to ascertain and settle said boundaries, and then they would comply with

all their duty in the premises. They also stated that they would prove that they had been "in the actual possession of said *sobrante*, or vacant, land so granted them ever since the date of the said grant," and that they had "had on it a large stock of cattle, horses, sheep, etc."

They further alleged that the grant had not been approved by the Departmental Assembly, "because the boundaries of the adjoining ranchos had not been ascertained," and set forth other matters not necessary to be stated here.

They again prayed the Board to confirm their claim, etc. (Ib. pp. 634-5.)

Whether this petition was to amend the one first herein referred to, or *vice versa*, does not appear; but the two may be taken together as the petition of the Castros to the Board of Land Commissioners.

It may be well here to state that about the year 1853, after said petition to the Board was filed, and before the claim was confirmed, the county of Contra Costa, in which the petitioners alleged their land to be situated, was divided, and part of it included in the county of Alameda. There is, consequently, no variance between the general location called for in the petition as in Contra Costa County, and that in the Board's decree as in the counties of Contra Costa and Alameda.

In support of their claim the petitioners introduced in evidence the original petition and concession, or grant, and a translation thereof, which translation was certified as correct by George Fisher, Secretary to the Board. This official translation of said petition and grant reads as follows:—

PETITION.

TO HIS EXCELLENCY, THE GOVERNOR: The citizens, Juan José and Victor Castro, natives of this Department, and residents within the jurisdiction of San José de Alvarado, present ourselves before your Excellency in the most proper and respectful manner, and represent that, being desirous of being finally settled upon land of our own, for the purpose of devoting ourselves to the labors of agriculture and the raising of cattle, in order by these means to obtain the very necessary means of subsistence for our numerous increased families, which is of such vital importance, we beseech your Excellency that you will deign to grant unto us a piece of vacant land which is situate on the immediate limits (*inmediaciones*) of San Antonio, San Pablo, Pinole, the farm (ranch) of Valencia, and the farm of Moraga, which land is the over-plus (*sobrante*) of the ranches aforesaid.

Wherefore we humbly pray, etc.

JUAN JOSÉ CASTRO,
VICTOR CASTRO.

MARGINAL CONCESSION OR GRANT.

MONTEREY, April 23, 1841.

As the parties interested petition for in this representation so the land of which they make mention is granted unto them, they remaining under obligation to present themselves anew, accompanied by a map of the land, so soon as the boundaries of the neighboring land-owners shall be regulated.

ALVARADO.

(Record of evidence, vol. 19, p. 107, Land Commission, California.)

Testimony was introduced to prove the genuineness of the grant, its character, the settlement of Victor Castro thereon, the possession of the Castros as alleged in

the petition, and also some testimony concerning the boundaries of the Peraltas' grant of San Antonio, and the case was submitted for decision, whereupon, on the 3d day of July, 1855, the following opinion and decree were rendered by the Board of Land Commissioners:—

OPINION.

JUAN JOSE AND VICTOR CASTRO,	} No. 96. For a <i>sobrante</i> , in the county of Contra
<i>v.s.</i>	
THE UNITED STATES.	
	Costa.

The evidence in this case establishes the following facts: That the petitioners presented their expediente for a *sobrante* of land lying between ranchos named in said expediente, and in pursuance of said expediente, Juan B. Alvarado, Governor of California, on the 23d day of April, 1841, issued a grant to the petitioners, and requiring them to report a plat of the same as soon as the adjoining ranchos could be surveyed and the extent of the *sobrante* ascertained, which survey has not been had of said ranchos so as to enable the petitioners herein to define with certainty the boundaries of their said *sobrante*, and a large amount of testimony has been taken for the purpose of settling the boundaries, which is rendered inapplicable to the merits of this claim by the decision of the Supreme Court of the United States in the case of Fremont.

The grant offered in evidence is proven to be genuine, and the proofs in the case go to show that it was issued to the grantees in consideration of services rendered to the nation, and for supplies furnished for the use of the Mexican Government.

We think this claim a valid one, and a decree will be entered confirming the same.

DECREE.

JUAN JOSE CASTRO AND VICTOR CASTRO,	} No. 96.
<i>v.s.</i>	
THE UNITED STATES.	

In this case, on hearing the proofs and allegations, it is adjudged by the Commission that the claim of the said petitioners is valid, and it is therefore decreed that the same be and hereby is confirmed.

The land of which confirmation is hereby made is situated in the counties of Contra Costa and Alameda, and is the surplus (*sobrante*) which on the 23d day of April, A. D. 1841, the date of the decree of concession to the present claimants, existed, lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia, reference being had to the original expediente on file in this case. (Record of Decisions, vol. 3, pp. 106 and 107, Land Commission, California.)

The case was taken to the proper United States District Court, as provided in section 9 of the Act of 1851, above referred to, and such proceedings were had before, and decree entered by the Court as made the decree entered by the Board the final decree in the matter.

The contest now here on appeal arose over a survey of the claim thus confirmed, which was executed by Deputy Surveyor William Minto, in 1878, under contract with the Surveyor-General of California, approved by your office. The field notes of the

survey were returned to the Surveyor-General's office August 26, 1878, and from them a plat was made, after which, in September and October, 1878, notice of the execution of the survey and plat was duly published under section 1 of the Act of July 1, 1864, (13 Stats., 332), and the survey and plat were retained in the office of the Surveyor-General for inspection, as required by law.

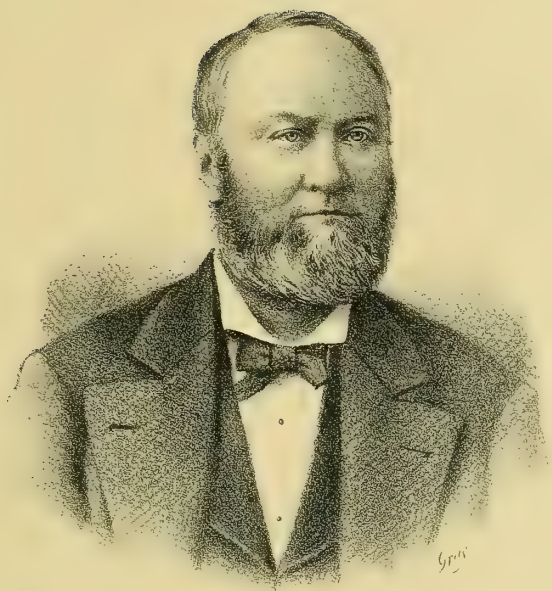
Many objections to the survey, protests against the surveying of the claim as demanded by the owners thereof, and interventions in the case were filed, some before and others after the period of ninety days from the first publication of notice had expired; and thereunder a vast amount of testimony was introduced before the Surveyor-General, which was forwarded with the appeal. It is unnecessary to pass upon the status of the various objectors, protestants, intervenors, or to specify those who appeared in time and showed such interest as entitled them to be heard, and to dismiss the proceedings of all others, under the rule laid down by the Department May 28, 1879, in the matter of the survey of the rancho El Corte de Madera del Presidio (Copp's L. O., vol. 6, p. 52), for the reason that the case is appealed by parties having a proper standing therein, who have raised every point, it seems to me, that the circumstances of the case admit, or that arises in the case.

I need not further recite connectedly the history or facts of the case, enough having already been stated to develop the principal questions involved; but such other matters of record in your office as shall seem proper to be considered will be referred to and discussed as occasion may require.

It is proper here to state my reasons for not using and discussing the testimony of witnesses taken before the Surveyor-General. I have not done so for the reason as to one branch of the case no such testimony is admissible, and as to the other, from my view of the case, none of it is needed. The explanation is this: The decree is said to be ambiguous. Now, if there is a patent ambiguity, it cannot be explained by testimony unless the terms used are wholly indefinite and equivocal, and convey on their face no certain or explicit meaning, and the decree itself furnishes no materials by which the ambiguity thus arising can be removed. In such a case, rather than the claim which has been adjudicated upon the principles of equity (Sec. 11, Act of 1851, 9 Stats., 633), should entirely fail, the light of intrinsic evidence may be brought in to ascertain the intention of the Board. But, in my opinion, the decree is not in such a condition. I think that any patent ambiguity in the expressed decree can be explained by reference to such matters, as under the rules of interpretation applicable to this case, may properly be examined for that purpose as a part of the decree. It follows, therefore, that any ambiguity appearing upon the face of the decree itself must be removed by construction and not by averment, and hence upon this branch of the case the testimony aforesaid is inadmissible.

The latent ambiguity of the decree can, in my opinion, be sufficiently explained by the records of your office or those of the Surveyor-General's office, and therefore the testimony of witnesses was not, and is not, needed in this case. In other words, that which was confirmed by the decree of the Board can be so surveyed as to do substantial justice from light afforded by the records of the Land Department, and no testimony *dehors* the records would make the matter more certain.

The decree of confirmation in this case is final and conclusive as between the



Duncan Cameron

United States and the Castros, or those claiming under them. If there were error or mistake in it, the only remedy was by appeal. The appeal from the decree of the Board having been dismissed by the District Court, the decree must forever stand as the Court thus made and left it. There is no authority or jurisdiction in any tribunal to correct, altar, amend, or annul it. Nothing remains to be done except to execute it according to its true intent as the law provides. If it is ambiguous and requires construction, then this must be done under the rules of the common law. The decree must serve as the guide to the Surveyor-General in making a survey in execution of the same. It is the duty of the Commissioner of the General Land Office to see to it that the survey conforms as nearly as practicable to the decree, and finally, the Secretary of the Interior, by virtue of his supervisory powers and appellate jurisdiction, has authority to review the action of the Commissioner in the premises and direct how the survey shall be made. Each of these several propositions of law will be found fully sustained by some one or more of the following authorities: *Higuera vs. The United States* (5 Wall., 827, 828, 830, 832, 834); *United States vs. Halleck* (1 Wall., 439); *United States vs. Billings* (2 Wall., 444); the Fossatt case (*ibid.*, 649); *United States vs. Fossatt* (21 How., 447); *United States vs. Sepulveda* (1 Wall., 107); 12 Opins. Attorneys-General, 250; *Snyder vs. Sickels* (8 Otto, 203); sections 13 and 15, Act of 1851, 9 Stats., 633, 634; sections 1, 6, 7, Act of 1864, 13 Stats., 333, 334; section 1, Act of 1812, 2 Stats., 716; section 1, Act of 1836, 5 Stats., 107; section 3, Act of 1849, 9 Stats., 395; section 453 Revised Statutes; and decisions of this Department of March 3, 1881, in the matter of the survey of the pueblo lands of San Francisco, and of May 21, 1881, in the matter of the survey of the Rancho San Jacinto Nuevo y Potrero.

It has been contended in argument by some of the able counsel that the claim of the Castros was not such as, according to the decision of the Supreme Court in numerous cases, should have been confirmed; because the paper constituting the petition and concession was in the hands of the Castros until the organization of the Board of Land Commissioners, and until it was filed in the office of the Board; because there was no map accompanying the petition, no reference by the Governor of the petition for information, no report upon the petition by any Government officer, and the grant was not made matter of record in the archives of the Mexican Government; and hence, that the only title to consideration which the claim has is the decree of confirmation. For these reasons it is contended that, as to the claim, the construction of the decree should be *strictissimi juris*. Others contend that the doctrine applicable to public or legislative grants should be applied in construing this decree; that it should be strictly construed as against the confirmees. On the other hand, counsel for claimants contend that the doctrine above mentioned does not apply to decrees especially not to a decree under the Act of 1851, founded upon the principles of equity, and that as to such a decree the doctrine of liberal or equitable construction should be applied.

As to the first point, it is only necessary to say that the tribunal created by law to execute the decree cannot go behind it. The presumption is that the Board and the United States District Court did their duty in the premises, and adjudicated the case upon the laws and principles by which they were required to be governed as

provided by section 11 of the said Act of 1851, and hence, that the decree is valid and binding upon all parties thereto. Therefore, if construction is necessary, the decree must be considered as entitled to the same respect and consideration as any other final decree of confirmation under said Act.

As to all the foregoing propositions it may be said that the decree must be executed according to its true intent and meaning, and that construction should not be employed to any other end.

Sedgwick, in his work upon Construction of Statutes, etc., after having examined many decisions of courts bearing upon the subject of strict and liberal construction, concludes a long chapter by giving the judiciary and the legal profession, in the form of rules, the benefit of his extended researches, from which I make the following quotations:—

"The intent of the Legislature should control absolutely the action of the judiciary; where the intention is clearly ascertained, the Courts have no other duty to perform than to execute the legislative will, without any regard to their own views as to the wisdom or justice of the particular enactment.

"The idea that an act may be strictly or liberally construed without regard to the legislative intent, according as it is viewed either as a penal or a remedial statute, either as in derogation of the common law or beneficial innovation, is, in its very nature, delusive and fallacious.

"In cases where the intent of the legislation is ambiguous, and the effort to arrive at it is hopeless, and in these cases only, does the power of construing a statute strictly or liberally exist." (Sedgwick on the Construction of Statutory and Constitutional Law, 325 and 326.)

The Supreme Court of the United States, in discussing the doctrine of strict construction as applicable to legislative grants, held that the grant being considered by them could not extend beyond the intent it expressed; that—

"It should be neither enlarged by ingenious reasoning, nor diminished by strained construction. The interpretation must be reasonable, and such as will give effect to the intention of Congress. This is to be ascertained from the terms employed, the situation of the parties, and the nature of the grant. If these terms are plain and unambiguous, there can be no difficulty in interpreting them; but if they admit of different meanings—one of extension, and the other of limitation—they must be accepted in a sense favorable to the grantor." (Leavenworth, etc., R. R. Co. vs. U. S., 2 Otto, 740.)

The harmony between the doctrine expressed by the Court and that referred to above is at once apparent. Both agree that the intention must prevail, but when the terms employed are so ambiguous as to render it impossible to ascertain the intention of the framers of the act, then the doctrine of strict or liberal construction may be applied according to the nature of the case. The Supreme Court, in the particular case, held that when the terms admitted of different meanings, one of extension and the other of limitation, they must be accepted in the sense favorable to the grantor. The Court supposed a case wherein it was hopeless, from the ambiguity of the terms employed, to arrive at the intent of the Legislature, in which case it was authorized to employ the doctrine of strict construction as to the grantee, or to take that meaning

which was favorable to the grantor. A meaning of extension and another of limitation are certainly diametrically opposed to each other, in which case one could be taken to the exclusion of the other. But where no such condition of affairs exists—where the intent can be reasonably ascertained from the whole act or instrument being interpreted—then there is no choice left, and the intent must govern.

In this connection it may be well to advert to the fact that the decree refers to "the original expediente and grant on file in this case." That instrument, therefore, may be read with the decree as a part of it (Sedgwick on Construction, &c., 2d edit., 229 and 230; and Broom's Legal Maxims, 7th edit., 673 *et seq.*, and the numerous cases cited therein); not, however, for the purpose of opening anew any question adjudicated by the Board and District Court, nor for giving to the instrument referred to any other construction or force than that given by the Board and Court, as expressed in their decree; hence, not for the purpose of changing the meaning of terms that are clear and unambiguous in the expressed decree, but only to explain any ambiguity in the decree itself. (U. S. *vs.* Halleck, 1 Wall., 455; decision of this Department of May 21, 1881, in matter of survey of Rancho San Jacinto Nuevo y Potrero.) Wherein the decree, on its face, is clear so far as it relates to the subject matter or the original petition and grant, it must be held to be the construction of the Board and Court upon those instruments, which cannot be questioned here. Furthermore, in referring to the petition and grant in this decree, we can only look to the official translation thereof; we cannot take any other translation, and by it undertake to explain any dubious expression of the decree. The Board had the services of a Secretary "skilled in the Spanish and English languages," a part of whose duty it was to act as interpreter to the Board, as the law provided. (Sec. 1, Act of 1851, 9 Stats., 631.) The Secretary certified the translation of the petition and grant above given to be correct. The Board and District Court gave consideration to the petition and grant, and adjudicated the case in view of that official translation. It follows, upon reasons too apparent to require explanation, that the expert testimony of witnesses before the Surveyor-General, giving a different translation to some of the words in the original petition and concession than that certified by Secretary Fisher, is wholly inadmissible, and that all efforts to inject into the case now any other translation than that which the Board and Court adopted, must fail.

The points raised by the objectors, protestants, etc., are very numerous, and need not be recited here. They are all, in some way, embraced in the three following general questions or propositions:

First. It is contended by the owners of the grant that the decree confirmed to them all the land within the exterior boundaries of the five ranchos named as colonizantes, which should be left or result as surplus upon the final survey of said ranchos; that their grant is not limited, except as by the exterior boundaries of said ranchos and their finally surveyed limits, and therefore that the locative call in the decree for land "lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia" should be disregarded in making a survey under the decree.

Second. Some of the contestants insist that the claim confirmed was a piece of vacant land, never within the exterior boundaries of the five ranchos referred to, nor any of them, but outside thereof and bounded by them.

Third. Other contestants admit that the land confirmed was surplus of said five ranchos, or some of them, but insist that it must, from the terms of the decree, lie between those ranchos as finally surveyed, in the sense of being surrounded or partly surrounded and bounded by them.

The better to understand the situation, a short explanation of the location of the five ranchos mentioned is necessary.

The San Antonio Rancho has the Bay of San Francisco for its western boundary, the ridge of the Coast Range mainly for its eastern boundary, and extends from a small stream called the Cerrito Creek, on the north, to the San Leandro Creek, on the south, a distance of about twelve miles. This was a grant by specific boundaries, and was surveyed and patented as such.

To the north and northeast of San Antonio, at a distance of about five miles, is the Rancho El Pinole. This, as confirmed, surveyed, and patented, was a grant of quantity within larger exterior boundaries. The calls for the exterior boundaries of this grant were natural fixed objects, leaving no uncertainty as to the lines thereof.

San Pablo was a grant of quantity to be located within the boundaries mentioned in the grant, which were the Ranchos of San Antonio, El Pinole, and the Bay of San Francisco; the southeastern boundary being thus necessarily uncertain.

To the east of San Antonio, southeast of San Pablo, and south of El Pinole, was the Rancho of Valencia, called Acalanes. It was a grant of quantity, to be measured within the general boundaries mentioned in the grant as San Pablo, San Antonio, and El Pinole.

South of the Acalanes and east of San Antonio was the Moraga Rancho, called Laguna de los Palos Colorados. It was a grant of quantity, to be measured within the exterior boundaries described in the Governor's formal grant, which virtually, though not expressly, called for San Antonio and Acalanes as colindantes.

The foregoing brief explanation, and the connected map prepared by the Surveyor-General in compliance with telegraphic order from your predecessor of October 24, 1878, from data on file in his office, which map was certified by the Surveyor-General November 22, 1878, or the map subsequently substituted therefor by the Surveyor-General, will give a tolerably correct idea of the country occupied by said ranchos, and their relative situation both as regards their exterior and their finally surveyed boundaries; but as to a part of the exterior boundaries there is some question as to their being accurately delineated on said maps, which will be discussed hereafter.

It will be seen that a large tract of land is left nearly surrounded and bounded by said ranchos as finally surveyed and patented, in addition to which there were numerous other smaller tracts excluded by final surveys, not surrounded by nor lying between, said ranchos, but within the exterior limits of some of them, most of said tracts being entirely disconnected with the large tract and with each other, and scattered about in various parts, mainly on the outskirts of the general tract embraced by the exterior boundaries of the five ranchos mentioned in the decree.

Your predecessor, having decided that the decree confirmed to the Castros all the surplus lands of the ranchos aforesaid—that is, all the land within their exterior boundaries excluded by final survey—and that the said ranchos were coterminous as

to their exterior boundaries in the central portion in the general tract embraced by them all, set aside the Minto survey, and directed a new survey to be made, which should include not only the large tract nearly surrounded by the ranchos as finally surveyed, but all the other tracts excluded from the final surveys, limiting his award only by the quantity of twenty-two square leagues.

In this, it seems to me, your office did not follow the decree of confirmation, assuming that the tract confirmed was surplus of some of the said ranchos resulting upon final survey thereof.

The error in the decision proceeds from premises, which, to my mind, are not supported by the relevant facts and the law of the case, to wit, first, that the word "*sobrante*," as used in the grant and decree of confirmation, necessarily meant all of the *sobrante* of said ranchos, and could not be limited by the words designating the particular location of the *sobrante*, nor by the words designating it as a piece—one piece—of land; and, secondly, that it was a grant by name of the *sobrante*, and hence included all of the *sobrante*.

It cannot be maintained upon general principles that power was wanting in the Governor to grant, or in the Board and Court to confirm, as *sobrante* any portion of the surplus of grants of quantity, and define its location and boundaries. As a matter of fact the records of your office will show that more than one such grant has been made of the *sobrante* of a single grant, and the grants thus made have been confirmed and patented accordingly. Now, that the tract confirmed in this case, admitting it to be *sobrante* of some of the ranchos mentioned in the decree, was limited, seems clear to me, and that the Surveyor has no authority to locate or survey any land in any other locality than that mentioned in the decree, cannot be successfully questioned. In view of the authorities hereinbefore mentioned no one will deny that the decree of confirmation must be the guide in making the survey, or that the Surveyor must follow it. In the United States *vs.* Fossatt (21 How., 449), the Supreme Court, in speaking of the powers and duties of the Board and Courts under the Act of 1821, said:—

"But, in addition to these questions upon the validity of the title, there may arise questions of extent, quantity, location, boundary, and legal operation, that are equally essential in determining the validity of a claim."

This doctrine was re-affirmed in the Fossatt case (2 Wall., 707). In United States *vs.* Sepulveda (1 Wall., 107 and 108), the Court said:—

"It is true, for the determination of the validity of claims presented, some consideration must have been had of their extent, location, and boundaries. The petition of the claimants must necessarily have designated, with more or less precision, such extent and location."

In the light of these decisions no one can consistently say that the Surveyor-General, your office, or this Department can disregard the words of the decree that point out the locus of the land confirmed, in making or directing a survey thereof. The decree recites that the land of which confirmation is thereby made "is the surplus (*sobrante*) which, on the 23d day of April, A. D. 1841, * * * existed lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia."

Is it possible that any land that does not lie between those ranchos can be surveyed under this decree? By what authority can the Surveyor-General look for land under this decree, except in that locality?

But the Commissioner suggests that the words "lying between," etc., constitute a false description of the land, and that it grew out of the mistaken meaning of the words "en las inmediaciones," in the petition for the grant, which he says were carelessly taken to be translatable by the word "between;" and he further says that the Board did well to refer for greater certainty to the original grant.

The answer to this has already been anticipated. The Board having thus translated and interpreted the grant, there is no tribunal that has the power to change it. Certainly it does not lie with the claimants to object to the translation, for the record shows it to be their own, notwithstanding it was adopted as the official translation. The regulations of the Commissioners, found in journal, vol. 1, p. 24, required every claimant to accompany his petition "by a copy of the original grant and a translation," and the petition of the Castros shows that this regulation was complied with, and the records do not show that said copy and translation were rejected or objected to. Unless the Board was to adopt the translation, if found correct, there was no object in requiring it to be filed.

But the idea that there is repugnance in the language of the grant and that of the decree on this point is not well founded. Referring to the official translation of the petition and grant, it will be found that the Castros petitioned for "*a piece* of vacant land which is situated *on*" (not "*in*" as the Commissioner has it) "the immediate limits (inmediaciones) of San Antonio," etc., "which land is the overplus (sobrante) of the ranchos aforesaid."

Here we find that this tract must be "on the immediate limits of" the said ranchos. Now, from the very meaning of these words, taking the actual situations of the grants named, the land must lie between them all in the sense of being surrounded, or partly surrounded, and bounded by them. The word "immediate," as here used, means "not separated in respect to place by anything intervening." (See any standard dictionary.) It was one tract that was granted and the same tract was confirmed; and it was not a tract of land, vacant or otherwise, that surrounded all these ranchos and bounded their outer limits. The Bays of San Francisco and San Pablo and the Straits of Carquinez put an end to such an idea, even if the absurdity of the proposition in itself does not. Where else, then, than in the midst of these ranchos can a tract of land be found that can lie on the immediate limits of each and all of the ranchos named in actual contact with all of them. There is not the slightest repugnancy between the description in the grant and that of the decree, so far as the words "lying between" are concerned.

But it is urged the word "between" can refer to but two objects, and hence was not the proper expression to use to convey the idea above expressed. Perhaps in a literal narrow sense this may be true; but a definition is given in dictionaries like this, "in the immediate space of;" "having mutual relation to two *or more* of;" in fact the word is quite commonly used with respect to more than two persons or things, as "between us, to go no further, I will tell you something," the pronoun "us" embracing, perhaps, twenty individuals. But, "*qui hæret in litera hæret in cortice.*"

Such verbal criticisms as are indulged in upon the words "lying between," as used in the decree, are of little value in the interpretation of written instruments. The well-known general and comprehensive rule for the interpretation of written instruments is that where the intention is clear, too great a stress should not be laid on the strict and precise signification of words. One who will consider for a moment what other word can be found to describe the locality of a tract of land surrounded, or nearly so, by a number of ranchos, will soon discover that no form of expression in the English language is better adapted briefly but clearly to define its location than that it lies between them. But if there could be any doubt as to what the Board meant by the use of the words "lying between," in the connection in which they were employed, it would be at once resolved by reference to the petition and grant, as has already been demonstrated.

Suppose, however, that the petition and grant did not make clear the terms in the written decree, and that the Department were required to look beyond them, then I should turn to the Board's finding of facts in the opinion preceding the decree. The Board there says that the evidence establishes the fact that the petitioners presented their expediente for a "sobrante" of land "lying between ranchos named in said expediente." If this were not satisfactory, then I should read the petitions of the Castros to the Board. In the first one they describe the land as "lying between" the said ranchos, and, as if to leave no room for doubt as to what they really meant, in their other petition to the Board they describe it as "lying in between" said ranchos. No one knew better than the Castros where the land was for which they petitioned. Now, with this expression, so oft-repeated, it seems to me that no other locality than the intervening space inclosed (or partially inclosed) by all these ranchos, could be sought for the location of the piece of land confirmed, even if the original grant did not so effectually settle the question.

But there is no confusion in the decree about this matter. The meaning of the Board and Court as to the locality of the land is plain, especially when the papers referred to in the decree are read.

It is hardly necessary to say more on this point. The mere mention of the rule, which is applicable to this decree as well as to other written instruments, that the whole instrument must be construed together, so that, if possible, every part shall stand, that no words are to be rejected as meaningless and none interpolated or added, would perhaps have been sufficient to answer all that has been said in favor of the rights of the owners of El Sobrante to have other land surveyed than that found to lie between the five ranchos in the sense in which the Board clearly employed the word "between," that is, within the surroundings of the five ranchos; not between any two, or three, or four of them, but between all of them.

Whatever the land may be, whether an independent, vacant tract (vacant in the sense of never having been included within the exterior limits of any of the ranchos named) or vacant surplus land (sobrante, in the sense of having been included in some of the exterior boundaries named in the grants, and vacant in the sense of being subject to grant), it must be found in the locality designated in the decree as above defined.

I am supported in this view by the Supreme Court of California. In the case

of *Tewksbury vs. Derosier*, decided November 11, 1881 (*The Pacific Coast Law Journal*, vol. 8, No. 17, p. 683), the Court, speaking of this very decree, said:—

"The confirmation of El Sobrante was of lands 'lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia.' The lands in controversy are not between the ranchos above named, or any of them. On the contrary, they are on the shore of the Bay of San Francisco, and between it and the Rancho San Pablo. They are not even in the vicinity of any of said ranchos, unless it be the Ranchos San Pablo and San Antonio."

The land in question before the Court, and of which the Court was speaking, is one of the tracts which your office directed to be included in the new survey.

After so much has been said, it is hardly necessary to discuss the proposition that this is a grant by *name*. Surplus is undoubtedly a name, because it is a noun, but it was not a *proper* noun as used by the Castros in their petition. There is nothing in the case to show that it was ever the name of this rancho at or before the date of this grant. *Sobrante* means in English surplus or overplus. The three words mean the same. There is probably no foreign word that can be translated into our English with more exactness of definition than the Spanish word "sobrante" by the English word "surplus." If the Board in its decree had put in parentheses the word "overplus," instead of "sobrante," after the word "surplus," the decree would have meant exactly what it does now, each word being the exact equivalent of the other. The use of the word "sobrante" in parenthesis simply shows that the Board translated it by the word "surplus." The Castros asked for vacant, surplus land.

Whether surplus of vacant public land left in the general tract occupied by the five ranchos outside of and defined by their exterior boundaries, or of that which should remain within the exterior boundaries after the quantities of said grants should be surveyed, will be determined next in order. They did not ask for a place known by the name of Surplus, or Lo Sobrante, or El Sobrante; but for a *piece* of vacant, surplus land. That is all the name the rancho had. That does not fill the well-known definition of a Mexican grant, by name of the place granted, nor the old common law case or illustration of "Black Acre."

The second proposition above set forth presents more difficult questions than the one just disposed of.

The expressed, recorded decree describes the land confirmed as the surplus "which, on the 23d day of April, 1841, the date of the decree of the concession to the present claimants, existed, lying between the tracts known as Ranchos of San Antonio, San Pablo, Pinole, Moraga, and Valencia."

The Supreme Court of the United States has, in several instances, described the different kinds of grants which could be made under Mexican law and regulations by Governors of the Department of California, thus: 1st, grants by specific boundaries where the donee was entitled to the entire tract described; 2d, grants by quantity, as of one or more leagues situated at some designated place, or within a larger tract described by out-boundaries, where the donee was entitled out of the general tract only to the quantity specified; and, 3d, grants, or places by name, where the donee was entitled to the tract named according to the limits, as shown by its settlement and possession, or other competent evidence. (*Higuera vs. U. S.*, 5 Wall., 828; *Alviso vs. U. S.*, 8 *Id.*, 339; and *Hornsby vs. U. S.*, 10 *Id.*, 224.)



S. L. Mitchell

The claim of the Castros, having been decreed to be valid, should belong to one of the kinds of grants thus defined. It is clear upon the face of the decree that it was not a grant of quantity nor one of place by name. It therefore necessarily falls into the category of grants by boundaries; and as no calls are given for boundaries, except the five ranchos named, it must be limited by their boundaries and lie between them all. If this be not so, then, although confirmed as valid, the claim is void for uncertainty.

In *United States vs. Fossatt* (21 How., 449), the Supreme Court said that "in affirming a claim to land under a Spanish or Mexican grant to be valid within the law of nations, the stipulations of the treaty of Guadalupe Hidalgo, and the usages of those Governments, we imply something more than that certain papers are genuine, lega, land translativ of property. We affirm that ownership and possession of land of definite boundaries rightfully attach to the grantee." See also *Fossatt's* case (2 Wall., 707), and *United States vs. Sepulveda* (1 Wall., 107 and 108). In *United States vs. Grimes* (2 Black, 613), the Court, speaking of the duty of the Land Commissioners under the Act of 1851, said: "It is their duty to establish the boundaries as well as the validity of the Mexican grant as between him (the grantee) and the Government." The Board and Court, then, had power to fix the boundaries as they did.

Now, the presumption in favor of the validity of the decree, and that the Board and Court performed their duties under the law, forces the conclusion that the decree in some manner indicates the boundaries of the claim with more or less certainty, which in executing it must be ascertained with reasonable exactitude; for not to ascertain them would render that void which the Board and Court have affirmed to be valid; hence the decree must be construed, if possible, so as not to make void that which has thus been affirmed as valid, whether the construction be as to patent or latent ambiguity. In doing this, so far as ascertaining the boundaries is concerned, that which is certain should be preferred to that which is uncertain.

Now, as regards these boundaries, the expressed decree seems to be ambiguous, but the ambiguity is mainly latent, and, wherein it is so, it may be explained by matters *dehors* the decree or the documents referred to therein.

While there may be no uncertainty as to the ordinary meaning of the word "surplus" or "sobrante," yet, when applied to land, it seems to me that it may embrace lands differing in condition or status, although it is strongly maintained that it cannot. The ordinary definition of "surplus" is that which remains when use is satisfied; excess beyond what is prescribed or wanted—overplus. Now, was the land confirmed surplus of vacant public land which was left of the general tract out of which the said five ranchos were to be satisfied, and which was never within the exterior boundaries mentioned in the Governor's grants of the said surrounding ranchos, and bounded by their exterior boundaries; or was it surplus of those ranchos, or of any of them—that which should remain of the larger tracts when the quantity to which the donees were severally entitled should be satisfied—bounded by said ranchos after they should be measured off and segregated?

The decree does not clearly state of what the land confirmed was surplus. But it is insisted that what here may appear to be *ambiguitas latens* and subject to expla-

nation by extrinsic evidence is explained by subsequent terms in the decree, and no other evidence is admissible; that wherein the decree describes the surplus as that "which, on the 23d day of April, A. D. 1841, * * * existed, lying between the tracts known as Ranchos of San Antonio," etc., the Board and Court necessarily meant a tract of vacant public land, in the sense of lying without the exterior boundaries named by the Governor in the grants of said tracts, and hence surplus of the general tract of public land out of which the several ranchos mentioned were taken, and bounded by their exterior boundaries; that in describing the land as surplus, which existed in 1841, lying between tracts known by the names mentioned, those tracts must have had known boundaries, and that a grant of quantity which might be located anywhere within the exterior limits mentioned would not have been referred to as a known tract.

But it will be seen that these subsequent terms necessarily lead for explanation and certainty to matters outside the decree itself. To ascertain what surplus existed in 1841, we certainly must look to matters not set forth in the decree. Were the ranchos mentioned grants from the Mexican Government? Were they completed grants? Were they grants by names of places, or by specific boundaries, or of quantity within larger exterior limits? If of quantity, had they been set off and segregated? If not, what were their exterior boundaries? These and divers other necessary questions are not answered by the decree, and the decree itself necessarily refers us to extrinsic matters. This is latent ambiguity, and the decree is by no means peculiar in this respect.

It is well settled that even the instruments referred to in the decree cannot be read to vary the natural import of the language used, if there be no uncertainty therein, nor to control the description of boundaries that are certain and free from ambiguity, but only to explain an ambiguity (*U. S. vs. Halleck*, 1 Wall., 455; decision in *San Jacinto Nuevo y Potrero*, above cited), and the same may be said of all extrinsic evidence resorted to.

Now, looking at the petition and grant referred to in the decree we find that the Castros petitioned for "a piece of vacant land which is situated on the immediate limits (*inmediaciones*) of San Antonio, San Pablo, Pinole, the farm (rancho) of Valencia, and the farm of Moraga, which land is the overplus (*sobrante*) of the ranchos aforesaid." Here we find the land described as both "vacant" and "sobrante," but in terms as *sobrante* of the ranchos mentioned in the petition. What is meant by the word "vacant" as used in the petition? Does it mean land that was vacant in the sense of not being or having been within the exterior limits of any of the ranchos mentioned, or vacant in the sense that it was not occupied by any of the grantees of the said ranchos, nor claimed as being included in the quantity to which they were respectively entitled and hence subject to grant? It would appear from the further description thereof, "which land is the overplus (*sobrante*) of the ranchos aforesaid," that the latter was meant.

The Governor granted to the Castros the land of which they made mention in the petition, and by no other description than that which they had employed, holding them "under obligation to present themselves anew, accompanied by a map of the land, so soon as the boundaries of the neighboring ranchos should be regulated."

It would appear from this that the boundaries by which the tract was to be defined were not then fixed and certain, and that the lines of the neighboring ranchos had not then been regulated.

As has been explained, San Antonio was a grant by boundaries, which were as certain then as now; but San Pablo, Pinole, Acalanes, and Laguna de los Palos Colorados were grants of quantity, which quantity had not been segregated in 1841. Enough appears in the records of the Land Commissioners to show that as San Pablo and Acalanes were claimed and occupied in 1841, there was land in the locality named by the Castros, which would not be taken to satisfy the quantity to which these grants were respectively limited.

The establishment of the Castros, owners of San Pablo, was on the part of the rancho adjoining the bays of San Francisco and San Pablo, and that of Valencia was considerably east of the western exterior boundary of the large tract. It was well known that there was more land lying between these ranchos as thus possessed than would be required in satisfying the quantity to which the respective donees were entitled. The northern limit of Moraga's Rancho would not interfere with this *sobrante*. The boundaries of San Antonio and the exterior boundaries of Pinole, as defined in the grant in 1842, were natural objects; and if surplus was thrown off of neither of them there would still be a large tract between them, surplus of San Pablo and Acalanes. Now, if all the exterior boundaries of San Pablo, Acalanes, and Moraga's Rancho were clear, then there would have been no difficulty in presenting a map of the *sobrante* asked for, if it was composed of a tract bounded by the exterior boundaries of the five ranchos mentioned. But it does not appear that it was customary to regulate exterior boundaries of grants of quantity in the sense of establishing them permanently. Consideration was, of course, to be given them, so far as to locate the quantity granted within them; but I think it cannot be questioned that the boundaries to be regulated were such as defined the quantity of the land actually granted, and remained as the boundaries of the land to which the donee was legally entitled under the grant.

This seems to be the view taken by the Board and the Court; for in the finding of facts the Commissioners say that Alvarado issued a grant to the petitioners "requiring them to report a plat of the same as soon as the adjoining ranchos could be surveyed and the extent of the *sobrante* ascertained, which survey has not been had of said ranchos so as to enable the petitioners herein to define with certainty the boundaries of their said *sobrante*." If the exterior boundaries of the adjoining ranchos were the ones to be regulated, then that could have been done much better in 1841, when witnesses were living who would be more likely to know of them than those that can be produced at this late day. Moreover, if the Board had supposed that such boundaries were to be regulated, then as it was their duty to fix the boundaries with as much certainty as the case would admit, and having the Governor's grants of the said ranchos before them, and living witnesses to point out their boundaries, they would have found them and set them forth in the decree. But they found that the boundaries to be regulated were to be ascertained by surveys. No survey, to this day, has been made of those exterior boundaries of the grants of quantity. When will the surveys that were to make these boundaries clear and develop the extent of the *sobrante* be made, if the exterior boundaries of the grants were the ones intended?

There will have to be further legislation by the Government to accomplish this, for there is no provision for surveying other than the land confirmed by the decrees of the Board of Land Commissioners and the Courts, and the five ranchos have been surveyed and patented. Undoubtedly the Governor referred to the regulation of boundaries that took place under the Mexican land system upon juridical measurement, for that was the "regulation" of boundaries required by law and ordinance, and which usually was expressly provided for in grants. In all cases in which the juridical measurement had not been had under the Mexican Government, this duty of measuring and segregating the lands granted was transferred to and devolved upon our Government; and it is fully performed by our final surveys and patents. Our official surveys take (or rather fill) the place of the juridical measurement required under Mexican law. This has been settled beyond question by the decisions of the Supreme Court. It would therefore appear that the boundaries to be regulated or the surveys to be made, which were to develop the *sobrante* granted and show its boundaries and extent, are those carried into the patents of the said ranchos.

But suppose this view should be incorrect, then, looking into the condition of the surrounding ranchos in 1841, no independent, vacant tract, with certain boundaries can be found. The San Pablo grant was to be located within the following limits, taking the description in the Governor's concessions of 1834 and 1835: "Bounded by the Ranchos of San Antonio and El Pinole, and by a portion of the port of San Francisco." The southeastern boundary, according to these calls, was clearly not definite and certain. It is suggested that the *diseño* accompanying the petition will make the southeastern boundary more certain, but examination thereof throws very little light on this matter. It will not indicate from what points on the boundaries of El Pinole and San Antonio a line should be drawn to form this boundary. The map or *diseño* here referred to is found in Volume 2 of maps, Land Commission Records, page 421, on which the southeastern portion of the tract, within which the quantity was to be surveyed, is limited only by the border of the map.

The southeastern exterior line of San Pablo, drawn on the Boardman map attached to the objections of Edson Adams, does not agree with that drawn by the Surveyor-General upon the connected map hereinbefore referred to. So it seems that, with all the light afforded by the Surveyor-General's office, and by actual examination in the field (see Surveyor-General's certificate on connected map), skilled surveyors cannot to-day agree as to the southeastern exterior of San Pablo.

In the third and fourth conditions, both in the decree of 1834 and that of 1835, the donees were to solicit juridical possession of the proper Judge, who should measure the tract according to law, for the purpose of having the boundaries of the grant marked out, the surplus to remain to the nation for proper uses.

But this measurement was not made by the Mexican Government, and it devolved upon our Government to finish the work that was left undone by the former Government. Our Government has measured the quantity and given it certain boundaries. Were not these certain boundaries the ones that the Governor and the Board referred to as requiring regulation in order to define the boundaries and show the extent of the *sobrante* granted and confirmed, rather than boundaries that are never to be regulated in the sense of being accurately surveyed and established, that are shown to be uncertain and possibly impossible of ascertainment?

Again, take Valencia's Rancho Acalanes. The Governor's grant describes it as "the tract of land known by the name of Acalanes, bounded by the Ranchos of San Pablo, San Antonio, and El Pinole."

It is contended that the large tract out of which the quantity granted to Valencia was to be measured was not bounded by San Pablo, notwithstanding the calls in the grant; because in limiting the quantity in the fourth condition, and directing the Judge who should give Valencia possession to measure it conformably to ordinance, the overplus remaining for the use of the nation, etc., it was said that the tract to be measured was "one league in length by three-quarters of a league in width, according as is explained on the map," which was with the record of proceedings; and the map had written on its margin that the place asked for was "situated between the arroyo Galindo and the arroyo Grande," those streams being delineated on the map or *diseño*. In other words, that the map on which was sketched the country to the northwest as far as the coast should control, instead of the aforesaid calls of the grant, because it showed the situation of the three-quarters of a square league that was granted as being between the arroyos aforesaid. Upon this showing it is insisted that a vacant tract is developed between the line formed by those two arroyos (Galindo being a tributary to the arroyo Grande or San Pablo Creek, with junction southeast of the claimed southeastern exterior line of the rancho San Pablo) and the southeastern exterior of San Pablo.

Now, if this were true, there would still be the uncertainty as to San Pablo's southeastern boundary; and it is not clear how this boundary could be "regulated" so as to define such tract. But the vacant tract disappears, admitting the arroyos Grande and Galindo to be the northwestern exterior boundary of Acalanes, for then the southeastern exterior line of San Pablo becomes certain, and comes up to said arroyos. The grant of Acalanes ought not to be held repugnant in its terms if they can be made harmonious. Then if the arroyos Grande and Galindo are the western and northwestern boundaries of Acalanes, the call expressed in the grant for San Pablo as a boundary should not be repugnant thereto; and as the southeastern boundary of Pablo was uncertain, this call brought it to the arroyos aforesaid. But I look upon the language of the fourth condition in Valencia's grant as simply a more specific designation of the locality in which the quantity was to be measured, and not as contradicting the general boundaries within which it was to be located.

It follows, then, that the mentioned ranchos had coterminous boundaries, and that the land confirmed was the surplus of some of them that should be defined by their boundaries as established or regulated by final survey.

This fulfills the legal proposition that the grant, having been confirmed as valid, necessarily has definite boundaries; and this was its condition in 1841, under the well-known rule that in law that is certain which is capable of being rendered certain. Any other conclusion would result, it seems to me, in inextricable confusion.

It is contended that the tract confirmed could not have been *sobrante* of any of the grants, because the grantees had the right of possession of the entire tract until segregation of quantity, and hence the Castros could not have had possession of other than land not within the exterior boundaries of the grants of quantity. Such an objection might be made to any grant of *sobrante*; still *sobrante* grants have been

confirmed, surveyed, and patented. While it is true, as held by the Supreme Court in *Van Reynegan vs. Bolton* (5 Otto, 33), that the right to make selection of the quantity granted rested exclusively with the Government, and could be exercised only by its officers, and that until segregation the grantee had the right of possession of the entire tract within which the quantity was to be measured, yet the discretion to be exercised by the officers charged by law with the execution of decrees in such cases was not arbitrary but reasonable, and was to be so exercised, in view of the record of the case, the situation of the land, the improvements and possession of the donees, and all other circumstances proper and necessary to be considered, as to fulfill the intent and requirements of the decree, and thus do substantial justice between the United States and the confirmees.

For example, no survey would be deemed a proper one that excluded the improvements and actual possession of the donee against his selection of land thus improved and possessed, provided it was within the boundaries called for.

Now, notwithstanding the donees of the grants of quantity in the case might have had the right of possession to the limits of the larger tracts, yet they did not object to the occupancy and possession of the Castros in this case. Why they permitted the Castros to occupy the land is not a matter of just concern of this department. The Castros received a concession of a tract of vacant, surplus land, and the claim thereunder has been confirmed, and the regulation of boundaries of the neighboring ranchos has developed such a tract in the place called for in the grant and decree. Beyond this it is not profitable or pertinent to inquire.

A tract or piece of land, no portion of which shall lie east of the western line of Acalanes, or south of the northern line of Moraga, or west of the eastern lines of San Antonio and San Pablo, or north of the southern line of El Pinole, as those lines have been established by the final surveys and patents of said ranchos, will substantially fulfill the decree, and do justice according to the record of the case as between the United States and the owners of the *sobrante* grant.

The next question for consideration is, should the survey of El Sobrante embrace any portion of the Rancho La Boca de la Cañada del Pinole?

As regards the La Boca tract, it is contended by the owners of the *sobrante* title that it was a part of the *sobrante* which existed April 23, 1841, and which on that date was granted to the Castros, and subsequently confirmed to them under the Act of 1851; that as it is the duty of the Surveyor-General to follow the decree of confirmation, he has no right to look at the fact that said tract has been patented in making survey of the *sobrante*; that it is the duty of the Land Department, under the Act of 1864, to include in the survey all the lands included in the decree.

Against this the owners of the La Boca tract refer to the fact that the survey of their claim was ordered into Court under the Act of 1860 (12 Stats., 33); that the owners of El Sobrante intervened in that matter and were made parties thereto; that the decree of the Court approving the final survey of that claim was entered by consent of all the parties; and that, therefore, the *sobrante* claimants are estopped from demanding that any portion of the La Boca shall be included in their survey, and your predecessor so decided. Cases are cited as supporting this proposition.

As against this position, the *sobrante* owners, some of them at least, argue in

effect that under the Act of 1851 the Land Commissioners and Courts had no jurisdiction to adjudicate upon title as between third parties, but only as between the United States and claimants; that the primary object of the said Act was to separate lands owned by private individuals from the public domain; that confirmation under the Act of 1851 simply affirmed that the land embraced by the decree was private land; that the patent of the United States under said Act is but a relinquishment of claim, or a quit-claim, to the tract confirmed, and record evidence of the action of our Government upon the claim, operating by relation from the time when the claim was presented to the Board of Land Commissioners; that such patent is simply conclusive as between the United States and the claimants and the privies of the respective parties; that the District Court of California, under the Act of 1860, had no greater jurisdiction, to say the least, than the tribunal created by the Act of 1851, for ascertaining and settling private claims; that the matter before the Court under the Act of 1860 was simply upon the question of the correctness of the survey, in other words, to determine the question as to whether the survey was an execution of the decree of confirmation, the same as that of the Surveyor-General now under the Act of 1864, or formerly under the Act of 1851; that parties to proceedings before the Court upon approval of a survey under the Act of 1860 are only bound by the decrees, and estopped as to the subject-matter before and within the jurisdiction of the Court, and that all questions of title between third parties, claiming under grants of Mexican origin were necessarily referred to the judiciary; and cases in support of these propositions are cited.

The foregoing statement is made in order to develop the positions of the contending parties in this matter. However, I do not think myself called upon, as I understand the case, to decide or express an opinion as to which is the correct one. It would undoubtedly be necessary to decide the question were it shown that the land patented as the La Boca de la Cañada del Pinole was vacant, *sobrante*, land within the meaning of and embraced by the decree in the *sobrante* case. To my mind not only is this not shown, but it seems to me that the records of your office and of the Surveyor-General's office show beyond question that the land patented to the La Boca claimants was not *vacant*, *sobrante*, or *surplus* of any of the five ranchos mentioned, *existing* as such April 23, 1841, within the true intent and meaning of the decree of confirmation of this case.

The records prove with reasonable clearness that it was neither vacant nor *sobrante* at that time, and it was well said by one of the contestants in argument, that as the Government has patented the La Boca, the survey of the *sobrante* should not, in any view of the case, invade such patented territory except upon clear proof that the land so patented is embraced by the decree of confirmation to the Castros.

The question whether the La Boca was vacant and *sobrante* or surplus land of any of the ranchos mentioned in 1841, and is embraced by the decree of confirmation, is one to be determined by the officers or tribunal upon whom the duty of executing the decree is imposed by law; as only vacant, surplus land, within the meaning of the decree, can be surveyed.

In the first place, the La Boca was not a grant of the surplus or *sobrante* of El Pinole, or any of the other ranchos mentioned as boundaries of El *Sobrante*. It was

not a *sobrante* grant in any sense, according to its terms; but it was a grant of quantity to be surveyed within designated boundaries.

The Land Commission record shows that Ignacio Martinez claimed to have received a grant of the place called El Pinole as early as 1823; he so represented to the Mexican authorities in 1834, stating that he had lost his title-papers, and soliciting a renewal of the same. Record evidence was not found to support his allegations, and he was required to petition anew, which he accordingly did November 10, 1837, stating that as he had mislaid or lost the grant issued to him in 1823, and as it was impossible for him to make it appear that such a grant had been made, he was under the necessity of making a second petition. In this petition he described the land as "three sitios, which are 'Cañada del Pinole,' and that which is called 'La Hambre,' straits of Carquinez, running towards the 'Mar de la Norte,' that is called the bay of Sonoma, adjoining the mouth of the same Cañada del Pinole, as is explained in the adjoining plan." For reasons set forth in the petition he asked for an additional league. Record of Evidence, vol. 15, p. 427.)

Thus it will be observed there was nothing in the archives of the Mexican Government in 1837 designating boundaries to the place known as El Pinole; and, as proceedings on the petition of Martinez were pending in 1841, when the grant was made to the Castros, and were not terminated until June 1, 1842, when the first and only recorded grant to Ignacio Martinez was issued, it follows that El Pinole had no boundaries recognized by the Mexican Government in 1841, and consequently that the boundaries declared in the grant to Martinez, in 1842, are the true boundaries of El Pinole, within which the four leagues granted to Martinez were to be surveyed, and within which the boundaries of quantity were to be regulated, as provided in the grant and decree in the *sobrante* case. That these boundaries did not include La Boca de la Cañada del Pinole will appear from what follows.

While proceedings were pending upon the petition of Ignacio Martinez, Felipe Briones, on the 24th day of July, 1839, petitioned for the grant of the place known by the name of El Pinole, stating that it was then more than ten years that he had possessed said place, comprising three "sitios de ganado mayor," more or less, as designated upon the plan accompanying the petition. Briones further alleged that he had built a house on the land prayed for, "planted a garden of much consideration, and cultivated some lands," by which and "some milking cattle" he had maintained his family, composed of eighteen persons. This petition was referred to Ignacio Peralta, a Justice of the Peace, who reported thereon July 29, 1839, that the Rancho of El Pinole had been occupied by Don Ignacio Martinez since 1824, by order of the Governor *pro tem.*, Don Luis Arguello, and that Briones, in his petition, did not make mention of the land that he (Briones) had occupied, called "El Corral de Galindo," where he kept his cattle, and hence that it would appear as though his petition operated injuriously by asking for the Cañada del Pinole, and not stating that he held the aforesaid "Corral de Galindo." Peralta further reported that Briones went on the land under an arrangement with Martinez, entered into in 1831, the parties "agreeing that their ends should meet;" that Briones "should assist at rodeos, and place his small houses immediate for company."

The report of Peralta does not make it clear whether Briones intended to procure



Chas. H. Hussey

a grant of all the land occupied by Martínez and himself, or only for that occupied by himself, giving the land he desired the wrong name. But the tract called "Corral de Galindo" embraced a part of the Cañada of Pinole, and it is probable that Briones intended to ask for the land occupied by himself, known as well by the name of La Boca de la Cañada del Pinole and San Felipe, as Corral de Galindo, as facts herein-after mentioned will show. However this may be, the matter of the several petitions was pending when the Governor made the grant to the Castros, and was not finally settled until more than a year afterward by the issuance of grants to Martínez and the widow of Briones, respectively (Briones having died about the year 1840). That the Governor considered Briones entitled to the land occupied by him, and so decided before he issued a grant to Martínez; that Martínez so understood the matter, and acquiesced in the Governor's decision; and that it was well understood that the tract known as La Boca de la Cañada del Pinole, in the possession of Briones, was not included within the exterior boundaries named by the Governor in his grant of El Pinole to Martínez, will appear from the following:—

On the 1st of June, 1842, evidently having in view both of the petitions of Martínez and Briones, and of the report of Peralta, the Governor, Alvarado, who made the grant to the Castros, issued a grant to Ignacio Martínez. In the concession of that date, the tract within which the quantity was to be surveyed was described as "commencing at the mouth of the Cañada del Pinole, eastwardly along the same *until it adjoins with the Corral de Galindo*, from *this place* to La Cañada de la Hambre, and from thence to the straits of Carquinez."

In the formal title issued the same day the four square leagues granted were to be surveyed within the following boundaries: "By the name of Pinole its limits being from the mouth of the ravine (Cañada) of the same name, in an easterly direction by the same *until it joins with the 'Corral de Galindo;'* from *this place* to the Cañada de la Hambre, and along the same to the Straits of Carquinez, the boundaries to terminate at the mouth of said Cañada del Pinole into the Bay of San Francisco."

Evidently this description was not to include the "place" called "Corral de Galindo," otherwise La Boca, etc. The ravine (Cañada del Pinole) was to be followed *until it adjoined with the "Corral de Galindo; from this place* to the Cañada de la Hambre," etc.

The same facts appear, and are placed beyond doubt by the language of the grant to the widow Briones, made twenty days after the grant to Martínez.

The grant to Maria Manuela Valencia, widow of Briones, was made upon her petition of the 8th of June, 1842, in which she set forth *inter alia* that she was the "widow of the late Felipe Briones, and established *in the mouth of the Cañada of Pinole* (en la Boca de la Cañada del Pinole);" that for *more than eleven years* she had "lived in peaceable possession of said place, with a considerable amount of stock, consisting of four hundred head of cattle, having also an adobe house, and more than one thousand grapevines, together with some fruit-trees;" and she prayed the Governor to concede to her "the legal ownership of the said place, containing three square leagues, as shown by the accompanying diseño." The accompanying diseño distinctly called for the land of Ignacio Martínez as a northwestern, northern, and northeastern boundary (see Record of Maps, vol. 2, p. 489). Her allegations accorded with those of her

husband in his petition of 1839 as regards possession and the length of time that the Briones family had occupied the place, as also with the report of Peralta upon the petition of Briones. The widow's petition, having been referred to the proper judge for investigation and report, was presented to Ignacio Martinez, adjoining owner, who stated concerning the same, June 13, 1842, as follows: "The Señora Manuela Valencia, who petitions for the place, as shown by the annexed diseño, is worthy of being heard, and what she asks may be granted to her, *since it does not prejudice my land.*" (The underscoring in the foregoing quotation is my own.)

On the 14th of the same month, the Judge to whom the petition was referred, Guillermo Castro, reported that, in view of the report of Ignacio Martinez, the tract asked for might be granted to the petitioner.

On the 21st of June, 1842, the land was granted to the widow of Briones, the Governor stating that, in view of the petition, the foregoing reports, "and all other matters necessary to be considered (the other matters necessary to be considered undoubtedly included the former petition of Briones and Peralto's report thereon), Doña Maria Manuela Valencia is declared owner of the place named in Boca de la Cañada de Pinole, bounding with the Rancho of Don Ignacio Martinez, with that of Don Julio Wil, and with that of Candelario Valencia;" and in the formal grant of the same date the land is described by the same boundaries, being limited in the third condition to three square leagues, as shown by the diseño annexed, the *sobrante* remaining to the convenient uses of the nation. (Exhibit 32, Adams, from the archives in the Surveyor-General's office.) In bounding the general tract out of which the quantity should be surveyed to Mrs. Briones with "the Rancho of Don Ignacio Martinez," the boundaries of El Pinole, as declared by the Governor a few days before in the grant to Martinez, were unquestionably meant.

When this claim was before the District Court upon petition for confirmation, the testimony of José de Jesus, son of Ignacio Martinez, was taken. Being asked what he knew in regard to the boundaries of the tract, the witness stated that on the north it was bounded by the Rancho of Ignacio Martinez, father of the witness, called El Pinole; that the original map (*diseño*) was made by him in 1841, and that it was correct; that it was the original map presented by Doña M. M. Valencia to the Governor when she petitioned for the land, and that he made it for that purpose; and that when he made it the houses, corral, and garden were on the Rancho as represented on the map. The witness further stated that he became acquainted with the boundaries of La Boca by going over the land with a son of Mrs. Briones for the purpose of making the map; that he had lived on his father's Rancho since April, 1830, and ridden over the La Boca Rancho "thousands of times," and that he was well acquainted with everything connected with it. (Exhibit 58, Blum, from archives in Surveyor-General's office.)

From the foregoing I conclude that the La Boca Rancho was not within the boundaries of El Pinole as established by the Governor's grant in 1842, the first official definition of the exterior boundaries of that place. And taking the facts above stated in connection with the testimony of William Richardson (vol. 5, 245, Evidence), C. Briones, and Napoleon B. Smith (vol. 4, pp. 561 and 720, Evidence), delivered to the Board in the case of El Pinole, and the location of the tract called

Corral de Galindo, and the Cuchilla de Chemisal, as laid down on the connected map hereinbefore mentioned and on the official map of Mr. Minto's survey, it would appear that the northern patented line of La Boca very nearly represents the calls of the grant and decree in the Pinole case for Pinole's southern exterior boundary in this locality. It follows, therefore, that La Boca was not surplus (*sobrante*) of El Pinole, and as the District Court decreed the claim of Mrs. Briones to be good and valid to the land known by the name of "La Boca de la Cañada del Pinole" to the extent of three square leagues "within the boundaries so described in the grant and map on file in the records," and as the grant and *diseño* call for Acalanes and Pinole for boundaries, and as Acalanes calls for Pinole as one of its boundaries, it necessarily follows, from the situation of these several grants, that La Boca was not surplus of any of the five grants mentioned in the grant to the Castros of 1841, the presumption of law being that La Boca was located within the boundaries called for in the decree of confirmation.

Again, La Boca was not vacant land in 1841, within the meaning of the decree of confirmation in the *sobrante* case. The evidence in the case of the La Boca upon petition for confirmation, as well as that of José de Jesus Martinez, hereinbefore referred to, and that of Peralta in his report, show a continued occupancy and possession from about 1831 till long after April, 1841, by the Briones family, the widow continuing in occupancy and possession after the death of her husband, and that the land was improved by them as alleged in the petitions therefor of 1839 and 1842. It was the very land occupied and in the possession of her husband that Mrs. Briones petitioned for, and it makes no difference whether it is called La Boca de la Cañada del Pinole, San Felipe, or Corral de Galindo.

In the opinion of the Board in that case, it was stated that the depositions on file showed a long residence on the land by the grantee, and established very clearly a substantial compliance with the conditions of the grant, and that the only obstacle to confirmation was to be found in the proof of boundaries. The decree of the Board rejecting the claim was reversed by the District Court, and the claim was decreed to be good and valid, and it has been surveyed and patented accordingly.

It was manifestly against the policy of the Mexican Government to grant lands to one party that were improved and in possession of another; and petitions were referred to the proper magistrate for the purpose of ascertaining whether they called for lands occupied by others. In the very matter of the petition of Martinez it is seen that, although he asked for land by the name of a place that might have embraced the establishment of Briones, and Briones had no grant from the Government, yet the possession of Briones was recognized as well as that of Martinez, and the land possessed by him was carefully excluded from the grant to Martinez.

Now, as the Governor recognized and protected the possession of Briones; as that possession was continued by his widow, and was of the same land; as proceedings were pending before the Government for a grant of this land at the time of the grant to the Castros; as upon the death of Briones the claim for the grant was continued in the name of his widow, she alleging the possession that had continued since 1831; and as the grant to the widow was made in view of all the proceedings mentioned, and necessarily in consideration of the uninterrupted possession of the Briones

family since 1831, it follows that the possession was not a trespass. The presumption is that the final survey followed the decree of confirmation; that it embraces the quantity of land thus possessed as limited in the decree; that it correctly shows the boundaries thereof, and that the land was surveyed within the boundaries mentioned in the decree; and, as the possession which continued from 1831 was not a trespass, it extended to the boundaries of the claim as surveyed and patented; all of which results in this conclusion: That in 1841 the land surveyed as the Rancho La Boca de la Cañada del Pinole was not vacant.

Finally, it seems to me that the Mexican authorities, having jurisdiction in the premises, decided, in 1842, that the land known as La Boca de la Cañada del Pinole was not embraced within any former grant. The reference of the petition of Mrs. Briones to the auxiliary Judge of Contra Costa required him to report whether "the land referred to belonged to any individual, with all other matters that may be necessary." His report, as well as that of Martinez, and that of Estrado, the Señor Prefect of the district, and the action of the Governor thereon in making the grant to Mrs. Briones, which, he stated, was in consideration of those reports, and all other matters necessary to be considered, amounted to a decision that the land granted was not included in any former grant.

In view of the facts and the legal conclusions relative to this matter, it would be just as consistent to hold that the land surveyed under the grant to Martinez was vacant *sobrante* land in 1841, as to hold that that which was surveyed under the Briones grant was vacant *sobrante* land at that time; and the survey of El Sobrante might as well include the one tract as the other. The grants of Pinole and La Boca are precisely similar in character, and were virtually the result of the final determination of the same proceedings before the Mexican Government pending and undecided April 23, 1841.

I therefore decide that no part of the Rancho La Boca de la Cañada del Pinole should be embraced in the survey of the Rancho El Sobrante.

The Minto survey not only embraces the larger portion of the La Boca, but also a small part of the Rancho Laguna de los Palos Colorados (Moraga's claim), as patented, and does not include all of the land embraced in the decree as herein construed. It is therefore set aside.

The remaining question is with regard to the tract marked "No. 7" on the Boardman map, and as public land on the Minto plat of survey of El Sobrante. I do not consider that that tract lies between the five ranchos mentioned, within the meaning of the decree, and it will accordingly be excluded from the final survey.

You will therefore direct a new survey to be made of the following boundaries: Beginning at post S. P. No. 67, at the terminus of course No. 195 in the patented line of the San Pablo Rancho; thence in a direct line to post P. R. No. 4, terminus of course No. 4, in the patented line of El Pinole Rancho; thence with the patented line of El Pinole to a point therein at which the westernmost line of the Rancho La Boca de la Cañada del Pinole as patented extended northwardly intersects said line of El Pinole; thence with the patented line of the Rancho La Boca de la Cañada del Pinole to the point at which the western patented line of Acalanes intersects the same; thence with the said line of Acalanes to the north patented line of the Rancho Laguna de

los Palos Colorados; thence with the last-named line and the same extended west to the eastern patented line of the Rancho San Antonio; thence northward with the patented lines of the Ranchos San Antonio and San Pablo to the place of beginning.

The decision of your office is modified accordingly, and the papers of the case are herewith returned. Very respectfully,

S. J. KIRKWOOD, *Secretary*.

This decision has been confirmed by Secretary Teller, and cannot be further opened.

TABLE OF LAND CLAIMS.

Domingo and Vicente Peralta, claimants for San Antonio, granted August 16, 1820, by Don Pablo Vicente de Sala to Luis Peralta; claim filed January 21, 1852, confirmed by the Commission February 7, 1854, by the District Court January 26, 1855, and by the Supreme Court in 19 Howard, 343; containing 18,848.98 acres. Patented, February 10, 1877.

José Dolores Pacheco, claimant for Santa Rita, granted April 10, 1839, by Juan B. Alvarado to J. D. Pacheco; claim filed, February 21, 1852, rejected by the Commission, April 25, 1854, confirmed by the District Court August 13, 1855, and decree affirmed by the United States Supreme Court in 23 Howard, 495; containing 8,894.01 acres. Patented March 18, 1865.

José Noriega and Roberto Livermore, claimants for Las Positas, two square leagues, granted April 10, 1839, by Juan B. Alvarado to Salvio Pacheco; claim filed February 27, 1852, confirmed by the Commission, February 14, 1854, and by the District Court February 18, 1859; containing 8,880 acres. Patented May 25, 1872.

Fulgencio Higuera, claimant for Agua Caliente, two square leagues, granted October 13, 1836, by Nicolas Gutierrez, and April 4, 1839, by Juan B. Alvarado, to F. Higuera; claim filed February 27, 1852, confirmed by the Commission February 14, 1854, and appeal dismissed November 24, 1856; containing 9,563.87 acres. Patented April 17, 1858.

José de Jesus Vallejo, claimant for Arroyo del Alameda, four square leagues, granted August 30, 1842, by Juan B. Alvarado to J. de Jesus Vallejo; claim filed March 2, 1852, confirmed by the Commission October 18, 1853, by the District Court March 2, 1857, and appeal dismissed July 28, 1857; containing 17,705.38 acres. Patented January 1, 1858.

Juan José Castro, claimant for El Sobrante, eleven square leagues, granted April 23, 1841, by Juan B. Alvarado to J. J. Castro; claim filed March 9, 1852, confirmed by the Commission July 3, 1855, and appeal dismissed April 6, 1857.

Andres Pico *et al.*, claimants for Mission San José, 30,000 acres, granted May 5, 1846, by Pio Pico to Andres Pico and Juan B. Alvarado; claim filed March 22, 1852, confirmed by the Commission December 18, 1855, and rejected by the District Court June 30, 1859.

José Maria Amador, claimant for San Ramon four square leagues and eighteen hundred varas, granted August 17, 1835, by José Figueroa to J. M. Amador, claim filed March 23, 1852, confirmed by the Commission August 1, 1854, by the District Court January 14, 1856, and appeal dismissed January 10, 1857. Patented March 18, 1865.

Antonio Suñol *et al.*, claimants for El Valle de San José, described by boundaries, granted April 10, 1839, by Juan B. Alvarado to Antonio Maria Pico *et al.*, claim filed May 18, 1852, confirmed by the Commission January 31, 1854, by the District Court January 14, 1856, and decision of the United States Supreme Court as to the right of appeal in 20 Howard, 261; containing 48,435.92 acres. Patented March 15, 1865.

José Joaquin Estudillo, claimant for San Leandro, one square league, granted October 16, 1842, by Juan B. Alvarado to Joaquin Estudillo; claim filed May 31, 1852, confirmed by the Commission January 9, 1855, by the District Court May 7, 1857, and by the U. S. Supreme Court; containing 6,829.58 acres. Patented July 15, 1863.

Tomas Pacheco and Augustin Alviso, claimants for Potrero de los Cerritos, three square leagues, granted March 23, 1844, by Manuel Micheltorena to T. Pacheco and A. Alviso; claim filed May 31, 1852, confirmed by the Commission February 14, 1854, by the District Court October 29, 1855, and by the United States Supreme Court; containing 10,610.26 acres. Patented February 21, 1866.

Antonio Maria Peralta, claimant for part of San Antonio, two square leagues, granted August 16, 1820, by Pablo V. de Sola to Luis Peralta; claim filed June 18, 1852, confirmed by the Commission February 7, 1854, by the District Court December 4, 1855, and appeal dismissed October 20, 1857. Patented February 3, 1858.

Ignacio Peralta, claimant for part of San Antonio, two square leagues, granted August 16, 1820, by Pablo V. de Sola to Luis Peralta; claim filed June 18, 1852, confirmed by the Commission February 7, 1854, by the District Court January 13, 1857, and appeal dismissed April 20, 1857. Patented February 10, 1877.

Guillermo Castro, claimant for part of San Lorenzo, six hundred varas square, granted February 23, 1841, by Juan B. Alvarado to G. Castro and for San Lorenzo, six square leagues, granted October 24, 1843, by Manuel Micheltorena to G. Castro; claim filed July 8, 1852, confirmed by the Commission February 14, 1853, by the District Court July 6, 1855, and appeal dismissed January 16, 1858. Patented April 14, 1877.

Barbara Soto *et al.*, claimants for San Lorenzo, one and a half square leagues, granted October 10, 1842, by Manuel Micheltorena and January 20, 1844, by Juan B. Alvarado to Francisco Soto; claim filed January 22, 1853, confirmed by the Commission April 24, 1855, by the District Court April 23, 1857, and appeal dismissed April 29, 1857. Patented February 14, 1865.

Archbishop Joseph Sadoc Alemany, claimant for Mission San José, in Alameda County, founded under Carlos IV., June 11, 1797; claim filed February 19, 1853, confirmed by the Commission December 18, 1855, appeal dismissed in Northern District, March 16, 1857, and in Southern District March 15, 1858; containing 28.33 acres. Patented March 3, 1858.

Guillermo Castro, claimant for land granted January 14, 1840, by Juan^o B. Alvarado to G. Castro; claim filed March 2, 1853, rejected by the Commission, May 15, 1855, and appeal dismissed for failure of prosecution March 9, 1857.

Charles B. Strode, claimant for part of San Antonio, 5,000 acres, granted by P. V. de Sola and Luis Antonio Arguello to Luis Peralta; claim filed March 2, 1853. Discontinued.

Charles B. Strode, claimant for part of San Antonio, 10,000 acres, granted by P. V. de Sola and Luis Antonio Arguello to Luis Peralta; claim filed March 2, 1853. Discontinued.

TABLE

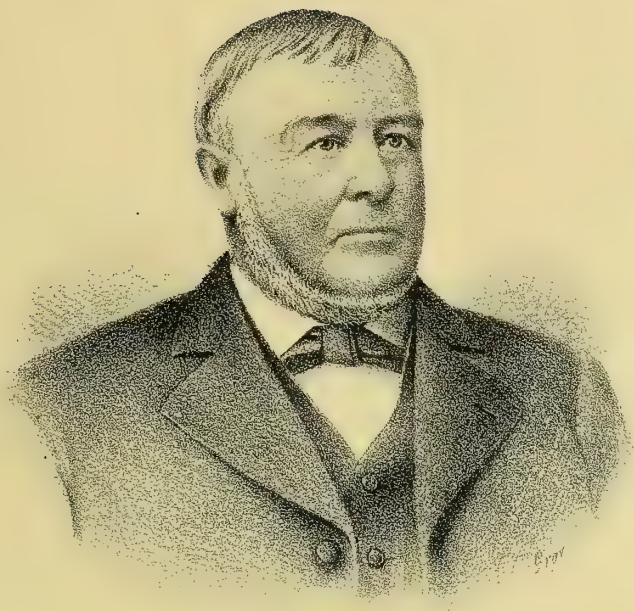
SHOWING THE NUMBER OF LAND COMMISSIONER CLAIMS, NAME OF RANCH, NAME OF CONFIRMEE, NUMBER OF ACRES, AND DATE OF PATENT OF THE DIFFERENT SPANISH AND MEXICAN GRANTS IN ALAMEDA COUNTY, SUPPLIED BY THE SURVEYOR-GENERAL OF CALIFORNIA.

NO.	NAME OF RANCH.	NAME OF CONFIRMEE.	ACRES.	REMARKS.
273	San Antonio.....	Ygo. Peralta.....	9,416.66	Patented, February 3, 1858.
4	San Antonio.....	V. and D. Peralta.....	18,848.98	" February 10, 1877.
274	San Antonio.....	A. M. Peralta.....	15,206.59	" June 25, 1874.
256	San Leandro.....	J. J. Estudillo.....	6,829.58	" July 15, 1863.
285	San Lorenzo.....	Barbara Soto, et al.....	6,685.85	" April 14, 1877.
524	San Lorenzo.....	Guillermo Castro.....	26,722.52	" February 14, 1865.
78	Agua Caliente.....	Fulgencio Higuera.....	9,563.87	" April 17, 1858.
82	Arroyo de la Alameda.....	J. de Jesus Vallejo.....	17,705.38	" January 1, 1858.
79	Cañada de los Vaqueros...	R. Livermore and Noriega...	2,080.00	Before the U. S. Surveyor-General (Part in Contra Costa County.)
609	Mission of San José.....	Bishop Alemany.....	28.33	Patented, March 3, 1858.
110	Mission of San José.....	Andres Pico and Alvarado...		Rejected, June 30, 1859.
	El Pescadero.....	A. M. Pico and H. Nagle.....	89.00	Patented, March 10, 1865. (Part in San Joaquin County.)
77	Las Positas.....	R. Livermore, J. Noriega.....	8,880.00	Patented, May 25, 1872.
258	Potrero de los Cerritos....	A. Alvizo and D. Pacheco.....	10,610.26	" February 21, 1866.
128	San Ramon.....	J. M. Amador.....	6,040.00	" March 18, 1865. (Part in Contra Costa County.)
60	Santa Rita.....	Yountz Administrator.....	8,894.01	Patented, March 18, 1865.
231	Valle de San José.....	Suñol & Bernaldes.....	48,435.92	" March 15, 1865.
		Area of Private Grants.....	196,036.95	
		Area of Public Land.....	275,963.05	
		Total Area in Acres.....	472,000.00	

THE CRIMINAL HISTORY OF ALAMEDA COUNTY.

AND the Lord said unto Cain, Where is thy brother? And he said, I know not: am I my brother's keeper? And he said, what has thou done? The voice of thy brother's blood crieth unto me from the ground. And now art thou cursed from the earth, which had opened her mouth to receive thy brother's blood from thy hand; when thou tillest the ground, it shall not henceforth yield to thee her strength; a fugitive and a vagabond shalt thou be in the earth." Thus is graphically given us on the page of divine history the record of the first murder that ever the sun shone upon or the eye of God looked upon, and the woful curse pronounced upon the author of that foulest of all crimes by the Supreme Judge of the universe. And how tenaciously has that curse followed the generations of life-takers down from Cain to the present day. "A fugitive and a vagabond shalt thou be in the earth!" How natural when a man has taken that from a fellow-man which no power of his can restore, no amends make any adequate reparation, has taken his life and shed his blood, to become a fugitive! The first impulse is to flee. A power he knows not of until the horrid deed is done impels him on, and ere he is aware he has become a fugitive. And he becomes a vagabond too! No matter if the lax operations of the Courts allow him to return to society, the deed has been committed, the blood is on his hands just the same, and all who know him can see it. He can see it, too, far more plainly than others, for it is burned into his consciousness by the flaming tongue of conscience, a chasm is riven between him and human society, and wherever he goes, if it is known that he has blood upon his hands, the finger of humanity is pointed at him, and he hears the voice of outraged and, oftentimes, cheated justice, exclaiming in loudest tones: "He is a murderer!" The vengeance of the Author of mankind justly follows him up who presumes to take the life of a human being—a being created in the image of the Divine Creator. After the waters of the flood had subsided, and the generations of men were again starting out to run the course of destiny, God spake to Noah and his sons, saying: "And surely your blood of your lives will I require * * * at the hand of every man's brother will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed; for in the image of God made he man." And when the people of his choice were upon the road to enter the rich inheritance which had been given to their fathers hundreds of years before, he caused them to halt, and amid the thunderings of Sinai he declared to them in language explicit, simple, and grand: "Thou shalt not kill." And when the great master, Jesus, came, he embraced all law, all gospel, and all ethical codes into one grand, glorious sentence which stands emblazoned upon the sacred page in letters of living light, and which shall shed forth rays of brightest effulgence all down the ages of the great eternity of God, when time shall have ceased, and only immortality exists: "Whatsoever ye would that men should do to you, do ye even so to them."

On the leaves of a leather-bound memorandum-book, found in the heart of an Arizona desert, the following self-reproaches and self-accusations were written in pencil.



John Mathews

Near by it the half-decomposed remains of a human being—a murderer—whose curse had truly been more than he could bear. How he suffered let his own simple story relate, as placed on record by the same hand that had sent a human soul unprepared into the presence of its Maker:—

“Blood on my hands!” A blur of crimson before my eyes! The skies are brazen above me. The sun is sick with gore. The winds from the desert shriek at me—shriek and howl; and this one word only do they wail in my ears—this dreadful word, ‘Murder!’ I stop my ears with my hands; I cry aloud to drown their wailing voices; I cannot drown it; I cannot keep it out. It pierces me—pierces me through and through.

“What is it? I am bewildered. Why am I flying as one who seeks the ends of the earth? Yesterday earth had no horror for me. The winds were only winds—not demon voices. Ah, *now* I recollect. God pity me! Pity? I forgot! He can only curse me. Annihilate me, O God! Blot me out from the universe. *That* would be pity.

“It all comes back to me now. It is seared in my brain. The long search for the mine; the days in the desert, in the mountains; and then, behind that hill that overlooks the ‘Valley of Death,’ the vein of white, shining silver—wealth for a king. Then it swept over me—my years of poverty and toil, the cold sneer of the rich as they saw my penury—and here was wealth. I would have it all—*all*. Not even my partner should share the treasure. I was mad. He stooped to pick up the precious metal, and I struck him—*him*, the friend of my toils, and one who had never failed me—him, who had shared his food with me, who had slept upon the desert, in the mountains, under the same blanket; who had nursed me in sickness—I struck *him* to the earth. God, I was mad! Then I was alone with my wealth; with my wealth—ah! and the dead. I had not thought of the cold, still face that would lie there *after* the blow; of the sightless eyes staring to heaven. *Then* the madness left me. I threw myself beside him; prayed him to awake; felt for the heart-beat. Dead—dead. O my God! Dead! the friend of my toils. And I was a murderer—a *murderer!*”

Here some leaves were missing, and the next entries legibly represent him as a veritable vagabond:—

“Chill with guilt and fear,
White from curse and scorn,
Out to the wilderness drear
He stumbles through brier and thorn,
With a smitten face to haunt him,

Beckoning toward the west,
Touching him here and there
With a bruise of a ghastly stain,
Stinging his numb despair
To the jagged quicks of pain.”

“Wandering, still wandering. Earth has no rest for my feet; and I am so weary! When I step the earth spurns me, and the pitiless skies cry: ‘On! On!’ Starving! Penniless! and there, back *there*, is wealth untold. Yet I dare not seek it, dare not tell of it; for there, too, is that cold, still face with the sightless eyes gazing at the heavens, and the red blood crying, ever crying to God. I wander on, and I can feel upon my brow a brand like Cain. It is a brand of blood—hot, burning blood. I walk among men and I feel that they *must* see it—it is there. I pull my hat over my brow—closely; oh, so closely—down to my eyes, but they must see it. *The brand of Cain!*

The brand of Cain! O God, it is upon me! For days I have wandered in the mountains, thirsting, hungering, trembling at the stir of a leaf. Yet death comes not to me. The wild beasts avoid me. The savages pass me by, and harm me not. I suffer, faint—but do not die.”

How vividly has Thomas Hood been inspired to portray the feelings of a man whose hands have been imbued with a fellow-man's blood, and whose heart-throb has been stilled by one fell blow. Ay, indeed:—

I.

And how the sprites of injured men
Shriek upward from the sod;
Ay, how the ghostly hand will point
To show the burial clod;

II.

And tell how murderers walk the earth
Beneath the curse of Cain,
With crimson clouds before their eyes,
And flames about their brain;
For blood has left upon their souls
Its everlasting stain!

* * * * *

III.

One that had never done me wrong—
A feeble man, and old;
I led him to a lonely field,
The moon shone clear and cold:
Now, here, said I, this man shall die,
And I will have his gold.

IV.

Two sudden blows with a ragged stick,
And one with a heavy stone,
One hurried gash with a hasty knife—
And then the deed was done!
There was nothing lying at my foot
But lifeless flesh and bone!

* * * * *
A dozen times I groaned—the dead
Had never groaned but twice!
* * * * *

V.

But lo! the universal air
Seemed lit with ghastly flame—
Ten thousand thousand dreadful eyes
Were looking down in blame;
I took the dead man by his hand
And called upon his name.

* * * * *

VI.

My head was like an ardent coal,
My heart as solid ice;
My wretched, wretched soul, I knew,
Was at the Devil's price;

VII.

Then down I cast me on my face,
And first began to weep,
For I knew my secret then was one
That earth refused to keep;
Or land or sea, though he should be
Ten thousand fathoms deep.

VIII.

So wills the fierce avenging Sprite,
Till blood atones for blood!

Indeed this love of crime is a fatality that would appear to follow the Indian into his partial civilization, the Mexican-Spaniard from his native clime, the Anglo-Saxon from his far-off land, and the Mongolian from his Flowery Kingdom. All would seem lost to the natural cry which springs alike from instinct and religion, for chilling murders are not committed by the violent and passionate alone; we might almost say, would that they were, then would the horrid deed be confined to the crouching assassin and the hellish act of suicide be the work of the insane. But human nature is various and confusing in its many failings; temper will outstrip discretion, a blow will be struck, a shot fired, and life will be sacrificed, and though escape of present punishment may be effected, happily it is assured that a dread fear of detection in the future will haunt the criminal, for it is truly said, "conscience doth make cowards of us all."

1853.—The first serious criminal act that we have been enabled to trace as having been committed in Alameda County took place shortly after its segregation from Contra Costa and Santa Clara, and was the shooting of Albert Scott.

This man was shot by Franklin Uray on September 9, 1853. From the evidence elicited before the Justice of the Peace it would appear that the parties were residents of Clinton Township. Uray being a farmer, and the land which he occupied being in dispute. Scott was employed to guard a fence erected on Uray's claim, which the latter tore down, when a dispute ensued, resulting in the shooting of the former. The Justice of the Peace did not think the case of sufficient gravity to commit Uray for trial. On October 20, 1853, a man named Henry Colvin was shot by Frank Hale, near San Leandro Creek. From the evidence adduced it seems that the parties had been disputing, when Colvin pursued Hale with a club, striking him several times, when the latter turned round and shot him. Hale was discharged by the Justice and a verdict of "self-defense" recorded. The next case is that of the shooting of Henry Blake by Charles Martinez on August 7, 1853. At the preliminary examination had before the Justice of the Peace, bail was fixed at five hundred dollars, and from the evidence then heard it would appear that Blake and some others went to the house of Martinez, when a quarrel ensued and there the shooting took place.

1854.—Among the criminal papers of the year 1854, evidence was taken before the Justice of the Peace on March 14th of shooting at Constable Carpenter by J. B. Heap. The crime took place at the "Gate House," in Clinton Township, where the constable was called to quell a disturbance, the inmates having a dance, and being all more or less drunk and disorderly. It does not appear, however, that Carpenter was hurt. On June 15, 1854, Antonio Garcia, Domingo, Marshall, and William McCoy were complained of as the murderers of William Wettig. It seems that these men had gone to the foot-hills to hunt cattle-thieves, and from the statements made in evidence by them, came upon Wettig, with freshly-killed beef upon his horse. They made accusation, which resulted in a quarrel, when one of the Spaniards, Domingo, killed him, and then made his escape. Garcia, McCoy, and Marshall were apprehended, and the last named held to answer as an accessory before the fact. Somewhere about this date George Zimmerman, Charles Wilson, and Israel C. Townley had a preliminary examination in the matter of an assault with intent to take the life of John C. Pelton, at San Leandro, the dispute being in regard to the ownership of some hogs. Wilson and Zimmerman were held to answer, bail for the former being fixed at seven hundred dollars, and one thousand for the latter.

1855.—On July 7, 1855, we find that *John Doe* was indicted for the killing of John Fanning; while, at the same term, a man called "Mack" (his other name being unknown), and H. Hastings were indicted for killing Peter Rochblam, and Amada Canute, on or about the 23d or 24th August of the previous year. Among the criminal papers, we find the case of the People *vs.* Hosea (possibly meant for José) Antonio. This individual was indicted by the Grand Jury at a Special Term of the Court of Sessions, held August 17, 1855 (the minutes of the Grand Jury accompany the papers) for killing Joquén (*sic*) by stabbing him in the back. The indictment was set aside on motion of defendant's counsel, Benjamin Williams, on the ground that the County Judge had no authority of law to call a Special Term of said Court. The defendant gave bonds for his appearance to answer any indictment that might be found by a regularly constituted Grand Jury.

1856-1857.—There is now either a discontinuity in the records or a reign of terror signaled, for there appear to have been no very serious crimes committed in the county during the next two years.

1858.—On May 10, 1858, a man named Cruz was indicted for the murder of one Frederico; was tried at the July term of the Court of Sessions and found not guilty. We also find that there was a criminal case, entitled the People *vs.* Francisco Routires, recorded in this year, but there are no documents on file to show what the circumstances of the affair were. A reward was offered by Governor John B. Weller, November 25th of this year, for the arrest of the murderer of Ciriaco Sacre, a Chileno, who was cruelly slain on a little island near Alvarado about eighteen months previously.

1859.—On April 11, 1859, there commenced a trial for murder, before the Third District Court, at San Leandro, Judge McKee presiding, in which great public interest was manifested. The circumstances which led to the case of the people *vs.* Thomas Seale, took place in Santa Clara on January 6, 1859. It would appear that Seale and a family named Shore were joint proprietors of a certain portion of the Rincoñada de San Francisquito Rancho in that county. Each had bought out an interest in the ranch—Seale holding several shares and the Shores had bought out but one heir, the property remaining undivided between them. But Seale had gone on to the premises, had improved and inclosed a large body of the land, a thousand acres or more, and was in the enjoyment of it—in fact had appropriated to his own use land that was common property. On the date mentioned above, Richard E. and Paul C. Shore, assisted by a youth named Lewis, were putting up a house on these lands, when Thomas Seale and S. J. Crosby came up and an altercation ensued between Seale and Richard Shore. In the meantime there appeared on the scene one Alexander Robb. Continuing his work, Richard Shore stepped up on a bench, when he was pitched off by Seale. Shore then ordered him to keep back, when Seale drew a pistol half-way out of his pocket. Near by, Paul C. Shore was standing leaning on the handle of an ax. Seeing him, Seale ordered him to put down the ax in very rough language, which was not complied with, when Seale made for him with the drawn pistol, he received a blow from the ax, and dropped his pistol, for which a grab was made by Crosby and Robb, Seale then drew another weapon, and firing, it took effect, the victim never afterwards speaking. Seale then went to San José and gave himself up to the authorities, while Crosby and Robb were apprehended as accessories. At the session of the Grand Jury which convened in the month of March, true bills were found against Seale and Robb, but that against Crosby was ignored. During the session of the District Court at San José, on Monday, March 28, 1859, the case of the people *vs.* Thomas Seale and Alexander Robb, indicted for the murder of Paul C. Shore, being set for the following day, an indiscriminate shooting affray took place, which resulted in the death of S. J. Crosby, the Coroner's jury finding that the deceased came to his death by three or more shots from pistols, by the hand of Thomas Shore or Richard Shore. But this was not the end of this bloody chapter. While the tragedy last mentioned was being performed without the Court House, one

of a nature still more painful was being acted within. L. Posey Fergusson, a miner from Grass Valley, who visited San José to accompany an old friend home to Missouri, had entered the court-room and was listening to the proceedings, when firing was heard. Remarking, "What does that mean?" he went towards the door and got upon a bench, when a ball from the outside, after passing through planking three inches and a quarter in thickness, struck him on the breast, when he cried out to a friend named Stewart, standing by, "John, I am a dead man!" He stepped back a few paces, then sank on a bench, and died in half an hour. The Coroner's jury found that the shot had been fired by the hand of Samuel J. Crosby, at certain persons standing in front of the Court House. Under these circumstances it was deemed advisable to change the scene of trial from Santa Clara to Alameda County. After a trial lasting five days the jury failed to agree on a verdict, therefore another jury was immediately impaneled, and after three days trial the case was given to the jury, who, after occupying two days more, returned a verdict of "Not guilty."

In 1859, we ascertain from the records that Miguel Marquis was tried for the crime of murder when, October 9th, a verdict of guilty was rendered. He was sentenced to be hanged on the 25th of November, but a new trial being granted, he was convicted, at the July term, of murder in the second degree and sent to the State Prison for life.

On December 2, 1859, Ventura Aipen stabbed to death Marcus Castillo, and was indicted under the name of "Ventura" at the January term following. He was tried, found guilty of manslaughter, and sentenced to two years in the State Prison.

1860.—At the September term of the Court of Sessions Ah Path was indicted for stabbing and cutting to death, in Oakland, How Sam on September 9, 1860, the cause of quarrel being a sum of money owed Ah Path by How Sam. The slayer was tried, found guilty of murder, and sentenced to be hanged January 11, 1861. Meanwhile a motion for a new trial was made and denied; the case was then appealed to the Supreme Court, who affirmed the judgment of the Court below.

On November 19, 1860, Ramon Romero was indicted for the crime of murder, was tried and convicted at the November term of the District Court, 1860; found guilty and sentenced to be executed on January 1, 1861; but on a new trial being granted he was acquitted, November 22, 1861. He subsequently found his way to Sacramento, where he was guilty of killing another man with a knife.

1861.—In the Court of Sessions of the city and county of San Francisco, at the February term, 1861, James H. Hardy was indicted for aiding and abetting the killing of Samuel Newell by Horace Smith, on January 1, 1861. Motion for a new trial was made and granted and the cause transferred to Alameda County, where it was tried and a verdict of "not guilty" rendered.

At the January term of the Court of Sessions in this year, Edward W. Bonney was indicted for stabbing to death Augusto G. Hirsch on January 13, 1861. The case came to trial in July following, and on the 27th of that month a verdict of "guilty of murder in the first degree as charged in the indictment" was rendered. Motion for arrest of judgment and a new trial was made and overruled by the Court, and on

August 2d, he was sentenced to be hanged on September 7, 1861. An appeal was taken to the Supreme Court, the judgment affirmed, and date of execution again fixed for April 25, 1862, but a respite of fourteen days was granted by Governor Stanford. He was ultimately executed May 9, 1862. Both parties were residents of San Francisco and had been friends. The hanging of Bonney was the first legal execution for any crime that ever took place in Alameda County. He died protesting his innocence although the evidence against him was very conclusive.

We do not learn of any blood-shedding during the year 1862, but the year following takes up its gory legend.

1863.—On November 12, 1863, a quarrel occurred at San Antonio (Brooklyn) which resulted in the death of Juan Andrada, a Chilean, by the hand of José Pizarro (Cosa), a Mexican. It commenced about a small bill; from words it proceeded to a hand-to-hand fight. The parties were separated by the spectators, when Pizarro went away, but returned in about half an hour armed with a bowie-knife. He found Andrada in the kitchen of Cruz Edilla, opposite the hotel then kept by Tom. Hill, and demanding his hat from him was answered that he knew nothing about the *sombrero*. Pizarro then dragged Andrada through the door, when in the tussle that followed both fell to the ground from the outside platform, some three or four steps high. As they got up Pizarro stabbed his opponent with the bowie-knife under the left arm outside of the chest, running upward and slightly inward, severing the subclavian artery and vein of the arm. Andrada did not live three minutes. Pizarro was duly tried at the January term, 1864, found guilty of murder in the second degree, and on being recommended to the mercy of the Court, February 20, 1864, was sentenced to imprisonment in the State Prison for ten years.

Save the lynching of a Mexican at Alvarado on November 23, 1863, there is no further criminal record for this or the following year.

1865.—A terrible murder occurred at San Antonio (Brooklyn) on the night of September 30, 1865. The circumstances are briefly these: A dance was being held at Louis Lerreaux's hotel. About half past eleven o'clock, Samuel S. Kennedy, a Scotchman, who had been a resident of Brooklyn for some five or six years, somewhat intoxicated, approached the door-keeper and desired admission, which was refused. A Frenchman, named Cora, of San Pablo, was standing outside the door at the time, and angry words were passed between himself and Kennedy, but no blows were, at that time, exchanged. Cora crossed over the street, returning after a short time and recommenced the war of words. Taking off his hat Kennedy shoved it close up to Cora's face, when the latter returned the insult by giving the former a blow with a sling-shot, or some other dangerous weapon, on the right temple, causing him to totter and fall against the side of the house. Recovering himself Kennedy rushed towards Cora, but was so drunk that he fell flat on his face. While in this position, Cora struck him on the head several times, breaking the skull so that the brain protruded, and at the same time kicked him heavily in the face. Cora was perfectly sober at the time. From the effects of the wound Kennedy died two days afterwards. Cora was indicted at the January term, 1866, tried and found guilty of manslaughter,

March 2, 1866, the Judge being recommended to "give the full extent of the law." He was sentenced to three years imprisonment in the State Prison.

On September 24, 1865, José Ruparda stabbed one Rosindo, who died from the effects of the wound on October 9, 1865. The murderer was indicted in the January term, 1866, tried, found guilty of murder in the second degree, and, February 24, 1866, sentenced to thirteen years imprisonment in the State Prison.

About this period Murray and Washington townships were infested by bands of horse and cattle thieves, stock poisoners, and incendiaries, and so incessant and daring were their depredations that a firm determination to put a stop to their maraudings was come to by the citizens. To this end a meeting was held at Centreville, April 1, 1865, when they resolved to form themselves into a Vigilance Committee, Thomas Scott being chosen President, Dr. J. M. Seifridge, Secretary, and William Tyson, Treasurer, in addition to whom an executive committee of twelve members was appointed. A salutary effect was the immediate result of this move, causing the rogues to be more on their guard. A reward of five hundred dollars for the conviction of the person or persons who a short time previously poisoned a wheat-field belonging to Mr. Ellsworth, was at this time offered by the committee.

In the month of October of this year the house of Charles Garthwait, near Pleasanton, was robbed during his absence. The burglars, however, received a warm reception from Mrs. Garthwait, who wounded one of them named Welch, who was subsequently arrested, tried, and convicted of grand larceny in the County Court and sentenced by Judge Hamilton to eighteen months imprisonment in the State Prison. Mr. Halley says he told a tale of his hardships, which, if true, entitled him to sympathy, and reminds one of some of the incidents in the play of the *Ticket of Leave Man*. Welch stated that after serving a term some time previously at San Quentin, he resolved to lead a correct life, and went honestly to work on a ranch in Santa Clara County. Pretty soon, however, some of his acquaintances, formed during the term of his confinement, came along and recognizing him threatened to "blow" on him if he did not give them money. He stood this as long as he could, but finally fled from them to avoid exposure, and went over among the Amador Hills, where he thought himself secure from his vile tormentors. He had been there but a little while when his confederates in the crime for which he was then suffering made their appearance and recognized him. They declared if he did not go with them and assist to commit the robbery they would kill him, and he yielded.

1866.—The following particulars of a horrible murder perpetrated at Corral Hollow, are gleaned from the columns of the *Alta California* of May 19, 1866: Edward, or better known as "Sandy," Simpson, who was well to do, and the owner of a store on the Stockton Road, near Amador Valley, was foully murdered by two men on Friday morning the 12th instant, and it is supposed for money he had about him at the time. It seems that on last Thursday evening two men, one a black-whiskered man and the other wearing no beard, stopped at Simpson's store and requested something to eat and a night's lodging, which was granted them. Next morning, at an early hour, the shepherds attached to the ranch went to attend to their daily labors. During the day the deceased's brother discovered the body, with a horrible wound on

the right side of the head, caused by a rifle-shot from the rifle of the deceased. The alarm was given, but though every effort was made to capture the assassins there is no record to show that they were ever apprehended.

A murder occurred in Murray Township, at Pleasanton, on Friday evening, August 10, 1866, the victim and the murderer being both Mexicans, the former named Ricardo, the latter Marcus Chavoya. The origin of the difficulty was a lawsuit which took place a short time before between the parties, and which occasioned ill-feeling since it transpired. The murderer surrendered himself on the day following to Sheriff Morse, at San Leandro, and also the pistol with which he committed the deed. On giving himself up to the authorities he made the following statement: On the evening in question, he said, that Ricardo, who was drunk at the time, came to his house and tried to effect an entrance by cutting through the door with a long knife with which he threatened to kill Chavoya. The latter armed himself with a revolver, opened the door and told Ricardo to go away—that he did not wish to have any quarrel with him. Ricardo refused and Chavoya fired at him twice—or, rather, in the air—so as to scare him off. Ricardo instead of retreating made a rush at Chavoya for the purpose of stabbing him, when the latter shot him fatally. He was discharged on the ground of justifiable homicide.

A mulatto barber by the name of Manley, says the *San Leandro Gazette* of October 30, 1866, who was in a shop adjoining the Exchange Saloon at the Mission San José, was discovered lying in the street on Wednesday morning, near his shop, with one ear nearly severed from his head, and so terribly bruised and beaten as to be unable to speak, and he died during the day. It appears that during the previous evening some difficulty occurred between him and a young man named Hyde, at Elbridge's saloon. Manley subsequently went to his shop and to bed. About midnight, Hyde and one Griffin awoke him and endeavored to induce him to come outside, but failed. They then dragged him out and in self-defense Manley used a razor on his assailants, wounding Hyde in the abdomen and shoulder. Hyde succeeded in getting him into the street and there brutally beat him with a bottle and kicked him until, as stated, death resulted from the injuries. Hyde was arrested, and, after examination before Justice Bond, committed to await the action of the Grand Jury.

1867.—In the July term of this year, José Guliful Chorean was indicted, tried, and acquitted of the charge of having shot and killed Amilio Higuera on June 25, 1864.

On June 6, 1867, a fracas of a fatal character occurred at the ranch of Robert Livermore, in Livermore Valley. A Californian named Moche, who had been drinking heavily, made an attack with a knife upon a young man called Foscalini, who avoided him several times, but finally turned upon him and discharged his pistol at him, emptying three chambers of the weapon, each shot taking effect. Both parties were on horseback. The wounded man instantly wheeled his horse, rode away rapidly and soon disappeared. When about three miles from the place of shooting, Moche fell heavily from his horse, head foremost, to the ground, and when approached was found to be dead, his neck having been broken by the fall. It was found, however, that either of the shots was sufficient to kill him. Foscalini surrendered himself,



J. A. Rose

and after an examination before Justice Mark of Pleasanton was dismissed. Moche, who was partly paralyzed, was, nevertheless, considered a desperate and dangerous man. Some ten years previous it was said he attacked a stage single-handed, and on the refusal of the driver to pull up, sent a shot from his revolver through it.

On June 30, 1867, a very tragic affair occurred at Mount Eden; a Dane, named Peter Jobson Schmidt, having murdered his sister and then shot and killed himself. Contrary to his wish, his sister, whom he had sent for to his native land some time previously, had determined to marry a young man in the neighborhood, and it seems that this drove him crazy. Schmidt was a farmer, owning one hundred and twelve acres, and unmarried, his sister keeping house for him. The poor girl made a desperate struggle for life, and the contest was a severe one. Two shots from his gun had entered her body; the first below her right nipple and the second in her heart. Whether the affection the man had for his sister, or the weight of his financial troubles, with which he was beset, had upset his reason, is not known; but he had formerly proved himself a man of good character. Indeed, he had previously made a will, in which he devised all his estate to his sister Jane, the girl whose life he took, and whose fate he thus horribly ended with his own.

At the July term, 1867, Charles M. Diel was indicted for the crime of assault with intent to murder, committed at Centreville upon the person of William Neal, whom he wounded above the hip no less than three times, on June 28, 1867. He was tried, found guilty, and sentenced to imprisonment for one year in the State Prison.

At the January term, 1867, John Hyde was indicted for beating one Manley on October 23, 1866, so that he died on the following day; while, at the September term, a man named Hill was indicted for beating to death with a club an individual called Manuel, on August 8, 1867. Hill was tried, found guilty of manslaughter and, November 11th, sentenced to seven years imprisonment at San Quentin.

On October 3, 1867, about two o'clock in the morning, several persons were engaged in a game of poker in Greavenor's saloon at Haywards, when a dispute arose, and one of the party, a Chileno, named Narrato Ponce, left the room, and shortly after returned with a pistol, which he pointed at those present, and, firing, eventually shot Lewis Joy in the left side, the ball passing through the lung and body and lodging in the right arm. He then walked a few steps into an adjoining room and fell dead. As soon as the firing commenced the lights were extinguished, and under cover of the darkness the slayer effected his escape, leaving his horse behind him in the corral. The redoubtable Sheriff, Harry Morse, was soon placed in full information of the dastardly deed, and kept a sharp lookout for the Chileno, but it was not until late in the month of October that he had any reliable information as to whither he had fled. This intelligence was at last received: it was that Ponce had made his retreat to the mountainous regions of Murray Township at the back of Livermore Valley. On November 1st, Officer Conway, of Oakland, who, having obtained authority from the Mayor and Marshal of the city, joined Sheriff Morse, and both proceeded to Dublin, in the Amador Valley, where, leaving their buggy, thence started on horseback for the place where the murderer was supposed to be concealed. Sheriff Morse was in possession of secret information that during that night the Chileno would pass down a by-road and into the telegraph or main traveled

road for the purpose of escaping to the lower country. The Sheriff and Officer Conway accordingly took positions at the gate leading into the by-path, in the shadow of a hay-stack, there to await the coming of their man. About half-past nine o'clock horse's footsteps were heard coming up on the gallop, when the Sheriff recognized the voice of the murderer and a companion. The officers had the gate tied so as to prevent his escape. The Chileno opened the gate, tied it, and came towards the officers. When he got within ten feet of Sheriff Morse the latter drew a shot-gun and ordered him to stop, which he refused to do, but turned his horse round quickly and started back, only to be met by Officer Conway, who leveled a six-shooter and commenced firing at him, Sheriff Morse having discharged a load of buck-shot at the murderer, striking him in the back, the Chileno drew his revolver and banged away twice at Conway without effect. With the last shot fired by Conway, Ponce fell from his horse; but he was not so badly wounded as to prevent his running on foot down alongside the fence. Conway had to go back to the hay-stack after his Henry rifle, which took him a little time, thus enabling the murderer to hide himself in the darkness. Sheriff Morse fired three shots; Conway five, his last missing fire. The officers hunted about for their quarry in the darkness until two o'clock in the morning, but could find no traces of him. When daylight came they made a further search up towards the hills, having employed eight or ten Mexicans to aid them, and discovered the Chileno's coat completely riddled with buck-shot and balls. Half a mile from where this garment was found his boots were picked up, which, for some reason or other, Ponce had pulled off and left. The murderer's horse, a small Mexican mare, was wounded in the thigh, and was not worth bringing away.

Nothing further was heard of Narrato Ponce until the 7th of November, when Sheriff Morse received a letter from Sheriff Classen, of Contra Costa County, informing him that if he repaired to Martinez he would give him information as to the whereabouts of him whom they sought. At eight o'clock the energetic Morse was at the rendezvous, prompt and prepared. The intelligence received was that Ponce was supposed to be in Cisco, Placer County. For Cisco, Morse started, accompanied by Deputy Sheriff Swain, of Contra Costa County. The intention was to take steam-boat for Sacramento at Antioch, and to that place they proceeded. Here they learned that instead of being at Cisco, Narrato was concealed in Rigg's Cañon, near Monte Diablo. To reach the place designated they had to return, by boat, to San Francisco, cross from there to San Leandro, where, taking saddle-horses, they proceeded to the Black Hills, north of Livermore Valley. Officer Conway, of Oakland, again accompanied the gallant Sheriff from San Leandro, and at eleven o'clock at night the party arrived at the cañon specified. They at once surrounded the house where the murderer was supposed to be concealed, but no further action was taken until break of day. When dawn came a thorough search failed to discover the object of their solicitude, and scouting parties in the hills brought no tidings save the discovery of his hiding-place, where he had been in the habit of concealing himself before his first skirmish with the Sheriff.

At this juncture they met an old native, who, upon being examined and threatened, conveyed the information that Narrato's hiding-place at that particular time was near the bay, at Pinole. A rapid return was made to San Leandro; from there

they went to San Francisco, where they took passage for Martinez, the place to which they had originally set out. On the following morning they started for Pinole, which is eleven miles south of Martinez and seven east of San Pablo. They searched all the houses through the valley as they went. Arriving at the house of one José Rojas they saw a man on the mountain side with a bundle on one arm and a shotgun on the other, whom they thought might be the person they were looking for. Conway and Swain went into the house with instructions to let no one out until Morse had ascertained who it was that was on the hill-side. At the moment of the Sheriff getting to the hill, he heard Swain cry out, "He's here," and directly thereafter was heard the report of a pistol-shot. Morse immediately directed his horse to the house on a run, when he discovered Narrato Ponce running away, trying to escape from the officers, who were shooting after him as rapidly as possible. A ravine intervening, Morse had to dismount. He immediately called upon the fugitive to stop and lay down a pistol he carried in his right hand, but the latter paid no attention to this command and kept on running, endeavoring to make good his escape. A shot from Conway here struck him in the right hand, causing him to change his weapon to the other, with which he kept his pursuers covered. Finding that the villain was determined not to be taken alive, the Sheriff concluded to finish the affair, he therefore sent four shots from his Henry rifle after him, and all failing, a fifth was dispatched, and found its billet, sending him forward on his face, in which position he died, his pistol being firmly clinched in his hand. His body was removed and a Coroner's jury summoned, who returned the following verdict:—

We the jury, summoned by A. F. Dyer, Justice of the Peace, acting Coroner, to inquire into the cause of the death of the man now before us, do find that deceased came to his death by a gun-shot wound in the upper portion of his abdomen, passing through the intestine and coming out on the left side. We find that the name of the deceased is Narrato Ponce, a native of Chili, about thirty-five years of age. We are of the opinion that the shot was fired by H. N. Morse, Sheriff of Alameda County, while endeavoring to arrest deceased on a charge of murder.

(Signed) N. L. LESTER, *Foreman*.
C. MURTA,

GEORGE HANKS,
E. HOBBLE,

JOSEPH GARCIA,
E. MARICH.

A reward of five hundred dollars was offered by Governor Low for the arrest and conviction of Narrato, a sum hardly sufficient to compensate the officers for the expense, trouble, and danger to which they were put in ridding the State of a desperado said to be the superior in criminality of the famous Joaquin Murietta.

While scouting among the hills in search of Ponce, Sheriff Morse discovered an old offender named Antonio Martinez *alias* Jesus Torres, an ex-convict, who had been evading the officers for six months previously. There were several charges against him—one at Sonoma and one at Santa Clara. Not long previously he was reported as having been shot by an officer who was trying to arrest him in Monterey for cattle-stealing; while, it was said, he was one of the gang that committed the Pacific Street robbery in San Francisco about three years before. When he was taken into custody he denied his identity to the Sheriff, but when brought into the presence of Conway and Swain, whom he knew, he lost courage and acknowledged. He was taken to San Leandro, from whence he was sent to Sonoma County, to answer the demands of justice.

Among the profoundest sensations of this year was the murder of Officer Richardson in Oakland. On October 22, 1867, complaint was made in the Police Court that John Thomas, as principal, and his wife Margaret, as accessory, had shot and killed R. B. Richardson, on that date, on block No. 113, situated at the corner of Ninth and Castro Streets, in the city of Oakland.

The account of this affair is substantially as follows: The man Thomas, an old negro, had been living for some time upon a small lot of land near Market-street Station, the property of General Wright, who, Thomas claimed, had given him permission to occupy the land until they should meet again. General Wright was drowned on the ill-fated *Brother Jonathan*, and upon this *quasi* title Thomas held possession. He was generally accounted a peaceable man, being of a religious turn, and occasionally preaching to his colored brethren. Some parties had been trying to gain possession of a portion of the lot in question, and a man who was on the ground for some purpose was driven off by Thomas with a shot-gun. The party thus expelled procured on his oath a warrant for the arrest of Thomas, which was placed in the hands of Officer Richardson, who proceeded to serve it. The report of a pistol coming from the house of Thomas shortly after drew a crowd to the spot, where the officer was found dead, lying on his back, his feet on the door-step and a ghastly wound in his throat, caused by a charge of shot that had severed the carotid artery producing almost instant death. It is supposed that the negro met him at the door shooting him down before he had time to defend himself.

Thomas was arrested and hurried to the jail at San Leandro, as rumors of lynching were rife. The shooting was done with an old-fashioned double-barreled pistol, one barrel of which remained loaded, filled nearly to the muzzle with bullets, inferentially showing the nature of the shot that nearly decapitated the unfortunate officer. Richard B. Richardson had been a member of the police force of the city of Oakland for about three years, is described as a fine specimen of manhood, tall, and of commanding presence, and of fearless courage in the discharge of his duties. His social qualities were on a par with his physique and personal popularity, and had made him a prominent candidate for the office of City Marshal. He was but thirty-five years of age, had just built a home for himself, where, with his wife and three little ones, he was about entering upon the happiness and comfort of accruing independence, when his life was cut short by the red hand of murder.

Upon the case coming up for trial a change of venue was asked and denied, the cause being transferred from the County to the District Court; but, March 23, 1868, the death of the defendant was announced in Court, and the case dismissed in consequence.

1868.—On March 4, 1868, Henry Crieger was found murdered in the hills at the back of Haywards, for which crime a saloon-keeper of that town was apprehended on suspicion, but, on examination, no evidence was forthcoming to connect him with the deed, he was therefore discharged.

On September 20, 1868, Joseph Newell shot with a pistol Morgan Layton, from the effects of which he died on the 26th of the same month. The slayer was indicted at the January Term, 1869, tried, found guilty of manslaughter, and sentenced to five years imprisonment in the State Prison.

In this year Alameda County furnishes one of the most remarkable cases of mistaken identity on record. Sheriff Morse arrested a man named John Slack, in San Luis Obispo County, in the month of May, supposing him to have murdered, thirteen years before, a son of Don Antonio Suñol, in the valley which bears his name. The story is thus narrated in the *San Leandro Gazette*, of May 30, 1868:—

"Most of the old residents about Mission San José, and many of our readers, will remember the circumstances of the killing of young Suñol, on account of some land difficulty; the attempted arrest by the Sheriff; the resistance of the murderer, and his escape and disappearance. This occurred in the spring of 1855. Twelve years passed, and no clue to Wilson's whereabouts could be obtained. About a year ago, a Spaniard, who had been acquainted with the parties, while passing through the 'lower country,' saw at San Luis Obispo a man whom he took to be Wilson, and on returning informed the friends of Suñol of the fact. About two months since the matter was put into the hands of Sheriff Morse to be worked up. The Sheriff immediately set at work. He at once ascertained the whereabouts of the man, corresponded with the officers of the county, who quietly made inquiries and informed Morse of the result. Everything pointed to this man. The necessary warrant was taken out, and the Sheriff started for San Luis Obispo, to make the arrest. On making the arrest some little show of resistance was made by the father-in-law of the prisoner, but he was soon quieted. On examination of his charge the Sheriff was more confident than ever that he had his man. The description was perfect—the height, complexion, color of the hair and eyes were the same. The prisoner had the same stoop of the shoulders, downcast look, and restless eye that characterized Wilson, and the absence of a tooth from the corner of his mouth. He was brought to San Leandro and placed in jail, although he protested and insisted that his name was Slack, and not Wilson. He stated that in the spring of 1855 he was at work in the mines; that subsequently he removed to San José, where he was at work on a ranch till the spring of 1860, when he went to Monterey County with a drove of cattle; and finally located in San Luis Obispo, where he resided till the time of his arrest. Upon the examination of Slack before Judge Nye, on Monday, the 18th instant, two witnesses, one a brother of the murdered man, swore positively that Slack and Wilson were the same person. Other witnesses thought they were the same, but were not positive. One of these latter was present when the murder was committed. When the prosecution closed the case seemed strong against the prisoner. The accused had three witnesses; one a Mr. Jameson, of Santa Clara County, who swore that he brought Slack across the plains from Missouri in the fall of 1854, and knew of his whereabouts in the spring of 1855, at the time the deed for which he was arrested was committed. A gentleman residing in San Francisco, named Cooksie, swore that he knew the accused in Missouri, and had known him from childhood; that his name was Slack, and that he always bore a good character. A Mr. Eaton, living in San Francisco, testified that he knew the prisoner in the spring of 1855; that his name was Slack; that they worked together that spring in the mines at Coon Hill, between Mud Springs and Diamond Springs, near Placerville, El Dorado County; that he had met Slack in Santa Clara in 1860. When the defense closed the prosecution asked for a postponement until the following Saturday, for the purpose of procuring the atten-

dance of an important witness, whose whereabouts had been ascertained since the commencement of the examination. The motion was granted. On the reopening of the examination on Saturday, two other witnesses were examined for the prosecution. One testified that this was the man Wilson. A woman who was called as a witness said that the prisoner was not Wilson; that Wilson had lost two front teeth; that she knew they were front teeth from the fact that on one occasion in conversation Wilson told her that he had lost his teeth in a fight with a grizzly bear, but did not know whether they were from the upper or lower jaw, or from the front or the corner of the mouth. The former witness had sworn that Wilson had lost one or two teeth. The prisoner showed that he had had a tooth pulled, about a year before, at San Luis Obispo. After the summing up by the respective attorneys, Judge Nye decided that the evidence was insufficient, and discharged the prisoner."

On the night of June 29, 1868, another bloody affray occurred, a circumstance which would appear to have been more than ordinarily common in this year. It would appear that two Mexicans, named Lazra Higuerra and Rafael Altamareno, got into a dispute over a game of cards in Laddsville, Murray Township, and from words came to blows, when the former drew a knife and made a deadly assault upon the latter, cutting him about the face and almost severing his arm above the elbow. At this stage Agatone Ruis interfered, telling Higuerra not to kill Altamareno, but so infuriated was he that he turned upon Ruis, who was compelled to shoot him in self-defense, three shots taking effect, one through the breast, another through the arm, and the third through the neck, causing him to become so weak that he could not be removed by Sheriff Morse.

Another affair of this nature occurred at Laddsville, about a month later, under the following circumstances: On Sunday, August 9, 1868, a man named Hyde, a desperate character, came into Ladd's Hotel, in the Livermore Valley, and demanded a drink, but being already under the influence of liquor, he was refused the beverage he sought by the proprietor. He then stepped behind the counter, and seizing a large water-pitcher struck Ladd on the head, cutting an ugly gash upon the temple. This blow he followed with another from a lager-beer-jug. Ladd, however, managed to grapple with him, but being no match for so powerful an adversary was thrown down to the ground and held there. At this juncture the bar-keeper of the establishment came upon the scene, but failing in his endeavors to separate the combatants, proceeded to procure assistance, which he found in the person of two Mexicans, with whom he returned. As they entered, the report of two pistols was heard, and on pulling Hyde off Ladd, they found he held a pistol in one hand, his finger on the trigger, and Ladd clutching it by the middle. Hyde was found to be shot in the abdomen, and, from the effects of the wound, died on the following day. During an examination into the cause of the man's death before Justice Kottinger, Ladd stated that after being struck with the pitcher, he remembered nothing until the firing of the pistol brought him to his senses, and then he thought that he himself was the victim of the shot. A statement was made by another who had that day heard Hyde say he would "have a man for his supper" that night, and went into Ladd's house with the deliberate intention of killing Ladd, who, when he was down, had turned away the muzzle from his own breast towards that of Hyde, when the latter pulling the trigger shot

himself, Ladd's hand being considerably lacerated by the powder. The death having been the result of a scuffle in self-defense, Ladd of course was discharged. The man Hyde is he whom we have shown above killed the mulatto barber named Manley, at Mission San José in October, 1866.

An attempt was made on the 6th October of this year, by two men named Jackson and Mann, who were in prison, to escape, in doing which they ineffectually tried to overpower Under Sheriff Borein, who, however, made a determined resistance, and whose cries fortunately brought assistance. Mr. Borein managed to keep firm hold of Jackson, but Mann contrived to get clear, but was soon captured. The story goes that among the prominent pursuers was District Attorney Gilchrist, who seized an old pistol, the same with which Thomas had shot Officer Richardson in Oakland. When Mann beheld the noble attorney armed with an old pistol, which had probably not been loaded for many years, he cried out with fear and trembling—"Don't shoot; for God's sake, don't shoot!" Thus he was taken, and the normal quiet of the prison and the excited community restored.

On September 20, 1868, two men named Lighton and Newell had a dispute over a dog-fight, in Castro Valley, at the rear of Haywards, Eden Township, when the latter shot the former through the head with a pistol, causing a wound from the effects of which he died on the 26th of the same month. Newell immediately thereafter mounting a horse escaped. So soon as this discovery was made the indefatigable Harry Morse was on his track, accompanied by Constable Morehouse (now a member of the State Board of Equalization). The extent of the search made for the murderer may be imagined when we mention that upwards of two hundred miles of country were covered. To no avail they ransacked the coal-mines of Contra Costa and Alameda. After being absent for a considerable period they returned and now heard of Newell's whereabouts in the southern country and were once more in chase. Following him through deserts and over sierras, sometimes hearing of him, and again losing all trace of him, they at last came across the decomposed remains of his defunct quadruped, and subsequently met the man himself flying false colors as a workman on the Los Angeles and Anaheim Railroad. The Sheriff arrived with him at San Leandro on the 7th November, where he was lodged in prison, subsequently tried, convicted, and sentenced to six years imprisonment in the State Prison.

1869.—Early in this year another shooting affair occurred at Laddsville, but one which showed no criminal intent. A man named John Alty shot a Spaniard who was trying to force an entrance one night into a stable where he slept. He told him several times to go away, which he declined to do, he then shot him, the ball taking effect in one of the arms, and in a few days he died from the effects of the wound. Alty, after giving bail to appear, was dismissed by the Grand Jury.

A notorious desperado and thief, named S. F. Robinson, was arrested by Sheriff Morse, on April 5, 1869, in Palmyras Cañon, on the charge of stealing a set of harness from the barn of Thomas Livingston, San Lorenzo; while on June 6th, Patrick Glancy was arrested on a warrant from the Coroner's Court, dated the same day, for causing the death of Robert Lightbody, but what the result of this was, farther than he was admitted to bail in one thousand dollars, we have been unable to trace. The same

remark bears on the case of Jesus Paredas and two others, names unknown, who were indicted January 7, 1870, for entering the house of Joshua Wahab, on the evening of October 5, 1869, and severely wounding him with a pistol.

1870.—In the month of May of this year, Sheriff Morse, accompanied by Constable Morehouse, captured a Californian named Jesus Tejada, who had been charged with being a participant in a dreadful crime in San Joaquin County, about twenty miles from Stockton, on December 9, 1869. He and a number of others, belonging to the same band, brutally and in cold blood, murdered a man named Frank Medina, an Italian store-keeper, his clerk, two Mexicans, and a negro on the occasion referred to, and then escaped. Sheriff Morse was commissioned with the arrest. About the latter part of April he received information that led him to believe that Tejada, one of the murderers, was encamped with a band of outlaws in the mountains, about one hundred miles south of Ellis Station, and with his companion started in pursuit. They found the band alluded to, but could not identify their man, and had to return. Subsequently, having received further information, they again proceeded to effect the arrest and in the night-time made a descent upon the outlaws' hiding-place, when within a few hundred yards of the spot where Tejada and four companions were sleeping, the officers came upon a sentinel that had been posted to warn the sleepers of the approach of danger. The sentry, on perceiving the officers, started for the tree where the murderer lay in the arms of Morpheus, but the Sheriff and his aids overhauled him before he could give the alarm. Creeping up softly, they got within a few feet of the party, and getting their rifles in position called upon them to surrender. Tejada in surprise and consternation threw up his hands, evidently aware that he was the object sought. He was handcuffed and the officers took him off, leaving the others to their reflections. Tejada was about twenty-four years of age, and six feet in height.

Another life was sacrificed on July 27, 1870, on this occasion at the Haywards Trotting Park; the victim and principal being two youthful jockeys. It would appear that they were skylarking or playing when Charles Roos drew a pistol and shot John McCue through the head, for which he was tried at the following session of the County Court and acquitted, the grounds taken being that the shooting had no malicious intent. Of this case the Grand Jury for the September term, 1870, in their report speak in the following words: "The Grand Jury cannot but feel the hardship imposed by their finding against the boy Charles Roos, for murder in the second degree. While the evidence by which we were compelled to decide this case, left no alternative to our action, we cannot but observe a serious deficiency in our criminal law, which threatens not only the punishment of mature felons, but a child of the tender age of from twelve to fourteen years, whose education has been neglected and who needs instruction and information rather than punishment. The hardening companionship of the State Prison can only confirm him in a life-long career of crime. Such cases ought to be sent to an Industrial School; and since the abolition of the institution formerly located at Marysville, we would suggest that the next Legislature be called upon to make some other provision for the reformation of juvenile offenders throughout the State."



J. W. Millard

On July 17, 1870, John Ignacio was killed by Joaquin Silva, who was indicted on the 23d September, but there are no documents on file to show whether he was convicted or not.

The following diabolical deed, illustrative of the blood-thirsty character of the Indian, which occurred in Washington Township, is gathered from the columns of the Alameda County *Gazette*, of November 12, 1870: "On the evening of Thursday, the 10th instant, an Indian woman, supposed to be insane, named Anistaba, killed her daughter, aged ten years, the child of a 'greaser' (who was himself killed about three years ago at Gilroy), and a man named Cohuacho, a native of Sonora, Mexico, aged about forty years. The killing was done with an ax, in a house near the Alviso hills, where the woman had been put by her Indian friends for safe-keeping, and the man, Cohuacho, set to watch her. From the surroundings it appears that the woman took the man by surprise, in the house, his head being chopped and smashed to a jelly. The body of the little girl was found in a swamp near by, with the head mangled in the same way as the man's. Dr. Yates, who held the inquest upon the bodies, says the sight was an exceedingly horrible one. After the killing the woman wandered from the house, and was not found until the following Friday evening; she was then discovered at an Indian house, at Baylis' Mills. When she presented herself to the inmates of this house she appeared to be drunk. Her head was covered with gashes, more than a dozen in number, which were evidently self-inflicted, and her clothes clotted with blood from head to foot. Constable Trefry, of Centreville, lodged the woman in the County Jail yesterday morning, to which she was committed by the acting Justice. Since the commission of the crime she has acted as a perfectly sane person, except when she first appeared at the house at the mills. Before the arrest she acknowledged the murder, and gave as her motive a desire to kill herself, as she had no way of making her living. Violent deaths run among these people—the last husband of this woman having been killed, a few weeks ago, in a drunken row, by an Indian." At the January term of the County Court, 1871, Anistaba was duly indicted, and the cause transferred to the Third District Court.

On November 11, 1870, Joaquin Augusta was convicted of murder in the second degree and sentenced to eleven years in the State Prison, but who his victim was the records do not show, the only documents on file being a copy of the judgment and a subpœna.

1871.—On the evening of January 10, 1871, ex-Supervisor Thomas Scott, a storekeeper at Suñol, and several other persons, among them Otto Ludovisci, Mr. Scott's clerk, were sitting in the store engaged in conversation. The place is a wild-looking, lonesome locality, and as there were many lawless characters prowling about the neighborhood, the doors of the store were usually kept locked after dark, and customers who visited the establishment for supplies had only to rap to gain admittance. Some time during the evening mentioned above, a knock was heard at the front door. It was answered by the clerk, who, upon opening it, was confronted by three men, among whom was a notorious Mexican named Juan Sotó, with bandages over the lower part of their faces to disguise themselves. They entered, and, paying no attention to the other inmates, attacked the clerk and shot him, inflicting a wound from which

he died shortly afterwards. The murderers at once cleared out, and being all well mounted escaped pursuit, but before leaving helped themselves to sixty-five dollars in cash from the till. On the next day Harry Morse was at their heels. He first proceeded to San José, visited the New Almaden Mines, scoured the country as far south as the Pacheco Pass, and penetrated into Merced County, but with no success. However, a colony of Mexicans, all armed and desperate characters, had been discovered in the Panoche Mountains by Sheriff Harris, of Santa Clara, and from among their number had taken an escaped convict from his county. This information he imparted to Sheriff Morse, but in the mean time the band had dispersed. Intelligence, however, was soon received by Morse of the whereabouts of some of the gang, and, therefore, without delay, accompanied by Sheriff Harris and Constable Winchell, of San José, and a small party of trusty men, he made for the Panoche Mountains. The exact position having been obtained from certain guides procured, three houses, near to each other, wherein they lay, were pointed out, therefore it became necessary to divide the party, to make a search so that all within should be arrested. Accompanied by Winchell, Morse proceeded into one of the houses, unfortunately, however, leaving his Henry rifle slung on the horn of his saddle, and there found, seated at a table with three others, Juan Soto, the murderer of Ludovisci. He was unprepared for so sudden a *rencontre*, but determined at once to secure his man, therefore, drawing his revolver, he called upon the Mexican to "throw up his hands," covering him with his pistol as he spoke. No response came to this command. Thrice was it repeated and thrice was it defiantly ignored. Morse now, keeping his eye steadily fixed upon the murderer, produced a pair of handcuffs, which, throwing upon the table, he directed his companion to place upon Soto's wrists; but at this critical moment a large, muscular female sprang from behind upon the Sheriff, seized his right arm in a vise-like grip, his left was clutched by a man who was near, while, quick as thought, seeing Morse thus encumbered, Soto leapt from where he stood at bay to a position behind a companion and drew his pistol. Minutes now became momentous, and a struggle for life lay before the officers. With a prodigious effort Morse threw off his assailants, and fired his pistol at the bandit's head, but only carried away his hat. Juan now retaliated. The Sheriff thereupon made a dash for the door, succeeded in making a safe exit, but on turning a corner found himself looking down the barrel of his opponent's pistol. Both now discharged their weapons at each other, the outlaw's shot being in advance, and how he missed is strange, for he was reputed a "dead shot." Four times were shots exchanged without a casualty, but now a bullet from Morse's revolver struck that of Soto, which it is believed so numbed his arm that he at once made for the house.

While beating this hasty retreat, Winchell appeared on the scene, armed with a double-barreled shot-gun, heavily loaded with shot, and commenced a fusilade upon the vanishing figure of the outlaw, but without effect. Morse then ran for and secured his Henry rifle. In the interval Soto had been indulging in a little habilitation, in the shape of putting his blue soldier's overcoat on the back of a companion. This effected, both ran for a saddled horse, hitched to a tree standing opposite the house, and Sheriff Harris was about to fire at the blue-coated runner, when he was hailed by Morse, that a ruse had been perpetrated, and thus checked his fire. Fate

seemed to be against the bandit on that fatal 12th of May. At the juncture last mentioned Soto's horse broke away from him, and while in the act of running to another, which stood ready at a little distance, a bullet from Morse's "Henry" hit his right shoulder. With this he turned around with demoniacal resolve in his eyes. Holding a revolver in either hand he boldly advanced to meet his enemy, the Sheriff. This was no time for parley: Morse raised his rifle, a cloud of smoke, a report, and the desperado lay stretched upon the ground shot through the brain, and once more was the gallows cheated of its proper prey.

The entire party of desperadoes was afterwards captured, at their headquarters, close by, and among them was found the notorious cattle-thief, Gonzales, who had escaped from the Santa Cruz prison only a short time previously.

Soto, as we have already stated, was a large and powerful man, a complete type of the traditional Mexican bandit, with long, black hair, heavy, bushy eyebrows, large eyes of an undefined color, with, altogether, a tigerish aspect. He had served two terms in the State Prison, and was generally regarded as the most formidable and desperate character living on this coast. He was known to all the Mexican inhabitants in the lower counties, and was held in such dread that few or none of them dared to offend him or make known his hiding-places. It appears that, like many other celebrated men of his class, he at length fell a victim to the ruling passion of mankind, having come from the rendezvous to visit certain seductive señoritas in that secluded valley, where he had the ill-luck to encounter the redoubtable and vengeful Harry Morse. The rest of the gang had returned to headquarters, leaving the hapless chieftain to the society of his lady-love. It must be said for the dare-devil of the mountains that he made one of the most gallant fights on record, and fell in a conflict with a foeman worthy of his lion-like courage. The Sheriff, having secured his splendid black horse, and his three formidable revolvers, left him to be buried by his Mexican friends, who through the fight manifested very little excitement, and seemed to regard the bloody work as an incident of their wild life. The old women made some little outcry, but the girls manifested the utmost composure.

Too much praise cannot be awarded to Sheriff Morse for this capture. In it he distinguished himself by one of the most desperate and daring acts that has ever been performed in the history of detective work on the Pacific Coast, and his own life was preserved only by the manifestation of astonishing self-possession and presence of mind. It so happened that circumstances placed him in the focus of danger, out of reach of his companions, where he had to rely wholly upon that steadfast courage and steadiness of nerve which have given him deserved celebrity among the foremost detective officers of the country. He had previously been through many perilous adventures among the more desperate characters of California, but we suppose this hand-to-hand and long-continued conflict with the chief of the brigands was the most exciting and desperate of all.

In regard to the foregoing it may be mentioned that during the month of March, 1873, one Bartolo Sepulveda, against whom there had been a warrant out for two years, accusing him of being concerned in the murder of Ludovisci, came to San Leandro and delivered himself up to Sheriff Morse, demanding a trial to exonerate himself from the charge. He was duly indicted, twice tried, and sentenced by Judge McKee to imprisonment for life in the State Prison.

On January 16, 1871, a man named Hiscock, a hunter, was murdered by Ramon Amador, near Pleasanton, Murray Township. Amador had beguiled his victim into the chaparral in search of deer that the scoundrel had informed him were in that neighborhood, when, being previously possessed of a gun belonging to Hiscock, he deliberately discharged its contents into the back and head of his victim. After a vigilant search he was captured, and admitted the killing, but said it was in self-defense. Amador was duly indicted, tried, July 20th, found guilty, and sentenced to be hanged, which was carried into execution September 9, 1871.

On February 17, 1871, a man named Zelotus Reed was shot and killed by F. W. Clarke, at a ranch in the foot-hills near Ocean View, about seven miles from Oakland, in the township of that name. The following statement of the crime is taken from the columns of the *Oakland News*: For a long time past the case of Gustave Mahe vs. John Reynolds has been progressing, involving the title of about eighteen settlers to a portion of the Peralta Rancho, at Cardoneces Creek, commonly known as the Williamson property. Final judgment was at last obtained, and a writ of assistance was issued and placed in the hand of Sheriff Morse for service. In many instances the settlers acknowledged the title that had been judicially established and took leases of the property they had occupied, which were given on nominal terms. One of those who refused to recognize the title was the deceased, Reed, and by virtue of the writ of assistance the Sheriff ejected him and placed H. K. W. Clarke, the actual owner, in possession. Mr. Clarke, in turn, placed his son, F. W. Clarke, a young man about twenty-seven years of age, in charge of the premises. When Reed was ejected, on Thursday (February 16th), he said that he was "prepared to shed his blood; that it should flow as freely as water," etc., in the presence of Mr. Clarke and his son. They were at the time informed that Reed was a dangerous man, as we learn from the friends of young Clarke. At the time of the ejection a large quantity of personal property belonging to Reed was on the premises, and he was told to come the next day and take it off. On Friday he went to the premises occupied by Clarke and proceeded to load on his wagon the property belonging to him, and which he had permission to remove. He was told to put it all on the wagon and not to return. He paid no attention to this, except to reply that he would do as he pleased. About half-past two in the afternoon he approached the premises in a wagon, he being seated, but a man of the name of Charles Huntsman was standing. When about to enter the inclosure Clarke told them to keep off, saying that he had possession and would not be disturbed in it. Reed entered a portion of the premises and occupied a small building in defiance of Clarke, saying that he was able to take care of himself and could shoot as well as anybody else. They told him to shoot if he wanted to, and continued their course. Clarke had a four-barreled Sharpe's pistol, and he discharged the contents of one of the barrels, probably at Huntsman, no harm being done. Three other shots were fired, and two of them took effect on Reed, who fell back, saying, "I am killed!" Huntsman immediately summoned the nearest physician, hastened to Oakland and notified the police, who apprehended Clarke and a man named C. F. Waite, who was with him. Reed, who was shot through the heart, was a middle-aged, single man, who had made his home with Williamson, working for his board, for several years, and is represented to have been usually quiet and peaceable.

Justice Lentell held a Coroner's inquest on the body of the deceased on the following Saturday, when the accompanying verdict was returned:—

We, the undersigned, the jurors summoned to appear before James Lentell, acting Coroner of the county of Alameda, on the 18th day of February, 1871, to inquire into the cause of the death of Zelotus Reed, who was killed on Williamson's Ranch, having been duly sworn according to law, and having made such inquisitions, after inspecting the body and hearing the testimony adduced, upon our oath, each and all do say that we find the deceased was named Zelotus Reed, aged about forty-six or forty-seven years; that he came to his death on the 17th day of February, 1871, in this county; and we further find that we believe F. W. Clarke to be the person by whose act the death of the said Zelotus Reed was occasioned, by shooting him, the said Reed, with pistol-shot, killing him; and we further believe that Charles F. Waite was accessory thereto; all of which we duly certify by this inquisition in writing, by us signed this 18th day of February, 1871.

WILLIAM GRAHAM,

A. RAMMELSBURG,

WALTER BLAIR,

SILVANUS WHITE,

CHARLES CARL,

G. A. WARREN.

JOSEPH FALLON,

On February 21st, a preliminary examination was had before Judge Jayne of the Police Court, Oakland, which continued for no less than five days, there being a great amount of legal talent arrayed on the contending sides. The prosecution was conducted by District Attorney Wright, aided by City Attorney Havens, Zach Montgomery, and W. W. Foote; the defense being in the hands of Harvey S. Brown, Blake & Van Voorhies, W. H. Glascock, and Alexander Campbell. At the conclusion of the inquiry, Judge Jayne delivered the following judgment:—

I have listened attentively to every word of the testimony, and have studied over it by night as well as by day, and can come to a conclusion now. I find from the evidence adduced in the examination, that a crime has been committed as charged in the complaint, and that there is sufficient cause to believe the defendant, Frederick W. Clarke, guilty thereof. It is ordered that he be committed to the Sheriff of Alameda County. In regard to the defendant, Waite, I considered his evidence against himself to be the clearest of all the evidence brought forward, except as to the statement by Huntsman that he saw him show a weapon before the shooting. He does not seem to attempt to screen his friend. I am constrained to believe that he has narrated the transaction as he believes it to be. I believe that he has told the truth. There is no evidence to charge him with being accessory. He is therefore discharged.

On February 28, 1871, Clarke was brought before Judge Crockett of the Supreme Court upon a writ of *habeas corpus*, when the prisoner was admitted to bail in the sum of thirty thousand dollars, and at the following term of the County Court in April, 1871, the case was submitted to a Grand Jury composed of W. G. Hunt, Foreman; Robert Carr, C. P. Hanson, F. Garcia, F. Devoll, C. B. Rutherford, A. Chabot, J. A. Folger, E. Gallagher, Fred. Runkle, David Scully, W. A. Bray, H. F. Shepardson, W. Benitz, who ignored the bill, whereupon the defendant was discharged and his bail exonerated.

This decision of the Grand Jury produced marked wonder among citizens; their conduct was vehemently denounced by the press, and the District Attorney, S. P. Wright, was loudly condemned. In refutation he appeared in print answering his traducers. He stated that the case for the people had been presented in as clear and lucid a manner as it well could be; that they had the testimony untrammelled of a large number of witnesses that the defendant produced before the committing magistrate, as to the general reputation of the deceased. He observed: "When I left the Grand Jury-room, and as I was closing the door after me, I heard some one of the Grand Jurors say, 'I move to ignore the bill;' and, hearing such a motion as that, I felt

indignant, as the defendant, under the evidence, in my opinion, ought to have been indicted."

The District Attorney forthwith applied to the Court for an order to resubmit the case to another Grand Jury, there appearing in favor of the application, Mr. Wright, and against it, Harvey S. Brown, H. K. W. Clarke, William Van Voorhies, and George M. Blake. Judge Nye, in his decision stated that the points in favor of the motion made by the District Attorney were not sustained, but the Judge discovered a point not there raised, viz., that the jury erred in listening to the testimony of the defendant, Clarke, and remarks in the opinion, after quoting from the Criminal Practice Act:

The defendant then becomes a competent witness only after indictment found or complaint made or other proceedings instituted, and the issue of fact made by a plea interposed and upon trial of the issue. Wherefore, the Grand Jury erred in hearing the defendant as a witness.

It is suggested that the latter point was not made by the prosecution and no argument had thereon, and that the resubmission be had without argument as to that point, and some showing formerly made by the District Attorney. Reserving a decision on this point, I will permit the District Attorney to make such showing further as he may see fit, and hear arguments thereon on the first day of the next term, Court being now about to adjourn.

At this subsequent term Judge Nye made an order resubmitting the case to the Grand Jury, from which the defendant appealed to the Supreme Court, who held that the order was not appealable. The case was again submitted by the County Judge, when the defendant sued out a writ of review before Judge Dwinelle, who held the case for about two years without rendering a decision, until the press and the public became so clamorous about it that he at length dismissed the writ and the case went before another Grand Jury, which in turn also ignored the bill.

Of this *cause célèbre*, Mr. Halley, who edited a paper in Oakland about this time, says: "There was a great deal of feeling in this case, not only in Alameda County, but outside of it. It was presumed that the wealth of the accused and his social position had much to do with his escape; it was charged that he received the favor of the legal fraternity; that his father was a lawyer; that members of the judiciary became his bondsmen; that the Supreme Court Judges favored him; that all the land-grabbers in the country gathered around him; that Horace W. Carpentier had used his wealth and influence unsparingly for his protection; and all because the man who was slain had in his capacity, as a settler on some disputed lands in Contra Costa County, rendered himself obnoxious to these parties in defending his own and his neighbors' rights against their encroachments.

"Much space is given here to this celebrated case, because it is looked upon as one to be ever held up as an example, showing the danger to life and liberty, even under our free and popular system of government, when certain influences are allowed to be exercised. Indeed, the whole affair is looked upon as marvelous, and such as not to be credited only that the evidence of it is so recent, and all the facts are so patent, with what assiduity and ability the mind must have worked and the hand directed, that produced such extraordinary results and defeated justice, shielding a culprit and threw the darkest shades of suspicion on the machinery of the law!"

We are sorry to state that later on it will be our painful duty to once more refer to F. W. Clarke, upon whom suspicion rested as having been in some manner concerned in the death of a relative.

And yet another homicide occurred in the year 1871. On the 26th of March, William Powers, in a drunken quarrel that occurred on the Haas place, about six miles east of Haywards, "on the divide," stabbed and killed a Norwegian named Nelson Larsen. At the Coroner's inquest held before Justice of the Peace Graham, the jury returned the following verdict in accordance with the facts adduced:—

We the undersigned, convened as jurors to hold an inquest on a dead body, do find as follows, viz.: That the body is that of one Larsen; that his age was about forty-seven years; nativity, Norway; and that he came to his death on the 26th of March, at Haas' Ranch, in Eden Township, from a wound inflicted by a knife in the hands of one William Powers.

At the April term of the County Court, 1871, the murderer was tried, convicted, and sentenced to thirteen years imprisonment in the State Prison.

On June 15, 1871, a man who went by the name of "Dutch Frank" *alias* Michael Frendar, shot and killed Edward Lavin, on the Dublin Road, in Eden Vale, about a mile and a half from Haywards: The cause of quarrel between the men, who were neighbors, was a trivial one, and may be shortly described as follows: Frendar had accused Lavin's son of stealing one of his chickens, and caught him roughly, when his father went to the rescue. Taking hold of Frendar he stigmatized him as "an old thief," following the expression with coarse and abusive language, finally striking him on the neck. With an imprecation Frendar raised a gun which he carried, and fired at Lavin, who staggering fell, and while falling received another shot from Frendar. The culprit gave himself up to the authorities, was subsequently tried, found guilty of murder in the second degree on July 21st, and sentenced to fifteen years imprisonment in San Quentin, but in 1872 was pardoned.

On July 23, 1871, John Dorsey shot and killed Edward Donahue at Mission San José. He was indicted at the September term of the County Court, found guilty of murder in the second degree, and on November 15th, sentenced to thirteen years imprisonment in the State Prison.

This slaying was followed by another shooting affair which took place near Livermore, Murray Township, on Sunday, July 30, 1871, when a man named Bradley desperately wounded another named Knuckles. To elude his creditors the former had placed a sum of money in the hands of the latter, which he refused to refund, upon which Bradley deliberately shot him in the lower jaw, tearing away the entire chin and ripping the flesh down close to the windpipe.

We have alluded to a shooting affair that occurred in Alameda, in the history of that township, in September, 1871, therefore it will be unnecessary to do more than refer to it in this place.

The following record in the celebrated Laura D. Fair case appears on file among the criminal papers of 1871:—

COUNTY COURT, Friday Morning, January 6, 1871.

THE PEOPLE OF THE STATE	}	Indicted for Murder.
<i>Against</i>		
LAURA D. FAIR.		

It appearing to the Court that the Grand Jury have found and presented herein a true bill of Indictment for Murder against said defendant. It is ordered that the Clerk transmit said Indictment to the Clerk of the District Court in and for the county of Alameda.

In the records of the Third District Court, under date February 23, 1871, we find the following:—

THE PEOPLE }
 vs. }
LAURA D. FAIR. }

No proceedings in this case were had and the Court ordered the same passed.

It will be remembered that the shooting of A. P. Crittenden took place on the ferry-boat during its passage across the bay, and upon the question of jurisdiction it was decided to have taken place within the limits of the city and county of San Francisco, the cause being accordingly transferred thither.

1872.—On March 6, 1872, William Steele was placed on trial at San Leandro for the murder of Silverio Monjas, on a change of venue, when he was returned not guilty. The circumstances of the case we will now relate.

Of this affair the *Contra Costa Gazette*, of July 8, 1871, has the following: "During the past week or more, the people of the central portion of the county have been intensely excited by occurrences growing out of the disputed ownership and possession of a certain portion of the Moraga grant, about which there has been much litigation and contention for several years. The land in question is claimed on one side by Isaac Yoakum, and on the other by members of the Moraga family. Some two months or more ago the Sheriff, by writ of the District Court, was directed to put Yoakum in possession of the lands then occupied by a portion of the Moraga family, but he had, as is claimed, no authority in executing the writ, to remove and dispossess such of the Moraga children as were not named in the instrument, and he refused to do so. Yoakum, or his agent, as is said, refusing at the time to accept possession unless all the Moragas and their personal effects were removed. Yoakum subsequently, however, went into occupancy of the portion of the premises to which the writ entitled him; and the Moragas remained in possession as the Sheriff had left them, of a portion of the land claimed by Yoakum, and to which, as we understand, he would have been entitled under the judgment of the Court, but for an error of omission in the complaint in action, upon which the judgment was rendered in his favor. From this situation of affairs, both parties claiming and believing they had legal and equitable rights which they were justified in asserting and defending, much heat and bitterness of feeling has arisen, and several serious collisions have occurred to the imminent peril of life on both sides. Some time early in May several rifle-shots were fired at one of the Moragas, and the horse he was riding was killed by a man in the employ of Yoakum, named William Steele, who was at that time, together with one of the Yoakum boys, under one thousand dollar bonds to answer before the Grand Jury of the county.

"Since that time the temper of the hostile parties has not improved, and threatening demonstrations and preparations have been made on both sides, with no very serious results, however, until last Saturday (July 1st) when Silverio Monjas, one of the Moraga party, was shot by William Steele, as he affirms, in self-defense. On the previous day there had been a collision between the parties and a good deal of shooting. In the *mêlée*, one of the Moraga girls was struck with a gun and severely



Respectfully Yours.
J. D. Smith

hurt by Mr. Yoakum, and the horse he was riding was fatally shot. Reports of these occurrences spread rapidly about the county, and created a degree of excitement and manifestations of indignation seldom produced in our usually quiet and moderate community; and the excitement and indignation reached a higher pitch on Saturday, after the shooting of Monjas, threatening to culminate in a vengeful outbreak against the Yoakum party. In the heat of the excitement many intemperate and improper charges and threats were made, which a cooler judgment and a fuller knowledge of facts would not justify.

"Sheriff Brown was on the ground shortly after the shooting of Monjas, on Saturday, and, on the information of Yoakum, found and arrested Steele. Yoakum voluntarily offered to surrender himself to the Sheriff for examination before any competent magistrate, upon any charge that might be preferred against him, and accompanied the Sheriff to Walnut Creek, where, on finding Justice Slitz was absent, they proceeded to Pacheco, and, on reaching that place, found that Justice Ashbrook was also from home. Yoakum here declined to accompany the officer farther, though he offered to give his word or bond for appearance, whenever, and for whatever purpose required. As the Sheriff had no warrant or authority whatever for detaining him, he was allowed to go; and the Sheriff has been highly censured therefor, but, so far as we can see, without the slightest good reason."

Monjas, who was shot by Steele, died about three o'clock on Saturday morning, and a Jury of Inquest, summoned and sworn on Sunday by Justice Allen, continued their inquiries until Monday evening, when the inquest was adjourned to ten o'clock, Saturday morning, at Walnut Creek.

Steele was brought before Justice Ashbrook for examination on Thursday; the People in the conduct of the case were represented by District Attorney Mills, and the defendant by Judge Blake, of Oakland. The examination was concluded on Friday afternoon, and Steele was held to answer for murder without admission to bail.

The Jury of Inquest found Isaac Yoakum to be accessory to the killing of the said Silverio Monjas.

He was brought before Justice Ashbrook, of Pacheco, on July 10th, to answer to the charge of assault with a deadly weapon, with intent to commit bodily injury upon the person of Gunecinda Moraga, in Moraga Valley, on June 30, 1871. On motion of Judge Warmcastle, acting for District Attorney Mills, the charge was modified to one of assault and battery. The defendant, contrary to the expressed desire of the Court and the prosecution, objected to trial of the charge by jury, and in deference to his objection the case was tried without a jury. The trial occupied the greater part of the 10th and 11th. The defendant conducted the case in his own behalf, assisted by a young lady, his daughter, who wrote out the testimony as given in by the witnesses. The evidence produced clearly sustained the charge, and established that the defendant had proved an aggravated assault upon the Moraga girl, striking her twice with his gun and inflicting severe hurts upon her person, while, at request of his herder, she and her sister were assisting him to drive the defendant's sheep away from the inclosure held by the Moraga family. Yoakum was found guilty and fined five hundred dollars, but gave notice of appeal.

On the charge of being accessory with William Steele in the killing of Silverio

Monjas, Isaac Yoakum was brought before Justice Wood, of Danville, on July 24th, being continued till the 27th, and at the conclusion of the examination was held upon bail of three thousand dollars to answer to the charge.

Steele was tried and disposed of as mentioned above; and then held on another charge of assault with intent to murder Joaquin Moraga on April 13, 1871, when the plaintiff had his horse shot under him. The defendant was liberated on bail, to appear at the next session of the Court on this charge. The case was tried in the April term of the County Court, and the prisoner found guilty. He was sentenced to pay a fine of five hundred dollars, or be imprisoned at the rate of two dollars a day until paid.

On April 25, 1872, Rodendo *alias* Procopio, one of the most noted and desperate cattle-thieves that ever infested Alameda County, was convicted of the larceny of a cow. His counsel asking until the 3d of May, for time to show cause why a new trial should be granted, but which was denied after lengthy argument on that day. Procopio was sentenced to ten years' imprisonment in San Quentin.

Tomaso Rodendo *alias* Procopio, the above-mentioned bandit, a nephew of the celebrated Joaquin Murietta, was suspected of being connected with the murder of John Rains, in Los Angeles, in 1859. He escaped from thence and came to Alameda County. In 1863 he was arrested for the murder of the Golden family in Alameda, his accomplices being supposed to have been Narcisco Borjorques and Celano Ortego. In attempting to arrest Borjorques Sheriff Morse shot him off his horse, but he escaped to the bushes. An account of this event will be found in the history of Murray Township. Afterward he was killed in the lower country. Some time subsequently Tomaso Rodendo was arrested in Alameda County for cattle-stealing. When apprehended he shot the Constable and got away, swimming the stream with his pistol in his mouth, persons shooting at him the while. He was subsequently captured and sent to the State Prison for seven years, his time expiring in 1870. As soon as he was set free he was suspected, and not without reason, of being connected with all the daring mail robberies in the lower counties, and had become a terror to the entire State. His seizure was effected in a restaurant in Morton Street, San Francisco, and when taken had two pistols in his belt, so arranged that he could easily draw them. When he observed two officers entering the front door he made a motion to draw a pistol, but turning about and seeing himself covered by pistols at the other door, he submitted to fate. Procopio is described as an ugly-looking desperado, over six feet high, and known to most of the Sheriffs in California.

In the month of March of this year Ah Sam, convicted of assault to murder in 1867, and sentenced to ten years' imprisonment, and William Hoffman, who received five years for grand larceny, were pardoned.

1873.—On August 12, Sebastian Flores killed Francisco Garcia near the house of Señor Higuerra, at the Warm Springs, Washington Township. It would appear that each had borne the other a grudge for a long time, and meeting at a wake held over the body of a young Spanish girl at the place stated above, a slight difficulty occurred between them during the evening. At about ten o'clock they left the house and went a short distance together down a road, where another altercation took place

between them, and Garcia received a wound from which he died on the 21st of September. When found he lay on the ground with his throat cut. After several days' trial and an elaborate charge by Judge McKee, the jury brought in a verdict of manslaughter, the prisoner being sentenced on the 21st November, 1873, to five years, imprisonment in the State Prison.

1874.—In this year the famous Harry Morse started on an unsuccessful hunt after the noted bandit, Tiburcio Vasquez, "but," says the *News*, "newspaper correspondents were too much for the hunters to contend with, for although Morse traveled by unfrequented trails, avoiding public highways and human habitations, the enterprising 'gatherer up of unconsidered trifles' kept in his wake and wafted by telegraph to the whole country the whereabouts of the searchers. Vasquez had thus been kept better posted about the movements of his pursuers than the public had been." The robber was captured, however, a few days after, May 14, 1874, by Major Mitchell's party, not far from Los Angeles. The daring deeds of Tiburcio Vasquez, the wily and active bandit, whose scoundrelisms eclipse those of Joaquin Murietta, had won for him a national notoriety. He had roamed through the southern counties of the State, and apparently held *rodeos* of the desperadoes of his own ilk, gathering all the outcasts together under his command, and planning and plotting and executing raids upon travelers, ranches, and towns. He had defied the authorities with the audacity of a Vidocq, and baffled every attempt at capture. The story of his repeated triumphs over law and order impressed many of his adventurous countrymen with the idea that he was a chosen leader in rascality, one of the anointed, and ought to be assisted with kindly encouragement in word and deed. The fellow had actually recruited his gang on several occasions with young Californians whom he enticed to the broad trail leading to distinction, by the narration of his triumphs and the practice of the seductive arts in which he seemed to abound. Several members of his gang were boys, who bore fair reputations for honesty prior to uniting their fortunes with the outlaws. Others were young men who never were promoted to the grand larceny grade: until Vasquez admitted them to his advanced class of rogues. This outlaw had a notable prison record. He entered the State Prison on August 26, 1857, from Los Angeles County, having been convicted of grand larceny and sentenced to imprisonment for a space of five years. He was then only nineteen years old. He escaped June 25, 1859, and the following August was apprehended in Amador County on a charge of grand larceny. He was convicted and returned to San Quentin to serve a term of one year. The fact of his previous escape does not seem to have been taken into consideration by the Amador Court. The term of his imprisonment began January 18, 1867, when he was sent from Sonoma County for grand larceny and held for a period of four years, after which, and until the time of his capture, he had been constantly engaged in robbing and murdering people in the southern counties.

A shocking tragedy occurred at the farm of Patrick Feeney, on the county road to Moraga Valley, about one mile and a half beyond East Oakland, on the morning of May 27, 1874, the details of which are as follows: Mr. Feeney, who lived with his wife and three small children on the farm, had at intervals for about a year previous, suffered from an affection of the brain, caused by falling on his head from a load of

hay, and several months before it was thought advisable to commit him to the State Insane Asylum. His wife, however, desired to keep him at home, and as she apprehended no danger to herself or children, he was not taken before a Commission of Lunacy, as was the intention at that time.

About three o'clock on the morning mentioned above, Feeney arose from his bed, complaining that he had been unable to sleep all night, and went out of the house. He returned a few minutes afterwards, and as he entered the room in which Mrs. Feeney was lying in bed, she observed that he carefully held his hands behind him, as though endeavoring to conceal something from her view. His manner alarmed her, and she raised herself up in bed, and asked him what he was going to do. He simply answered "nothing," and at the same moment a hatchet fell from his hands to the floor. Mrs. Feeney, now very much frightened, and springing from the bed, begged her husband to quiet himself and to do no harm. Before she had scarcely spoken, he grasped the hatchet from the floor and rushed upon the children, who had by this time come into the room, and brandished the murderous weapon over their heads and aimed several blows at them. The mother sprang to their rescue and warding off the blows of the maniac saved their lives, but could not prevent them from receiving several cuts upon the head, none of which, however, were of a serious nature. The insane man's murderous freak seemed suddenly to leave him, for he turned and rushed from the house still retaining the bloody hatchet in his hand. Mrs. Feeney, alarmed for his safety, took her children and proceeded to the house of her nearest neighbor, about a quarter of a mile distant, narrated there the horrible occurrence, and besought the assistance of the inmates to find her husband. One of the men started immediately for East Oakland to summon a physician and police aid, and another proceeded to search for Feeney. After seeking some time the insane man was found, lying upon his side, with his knees drawn up to his chin, as though to bring his body into as small a space as possible, in a hollow known as Sessions' Ravine, about three hundred yards from Feeney's house. When discovered, his first words were that he was cold and wished some one to cover him up. He then asked for a drink of water, and the man went to the house to procure some for him. On his return to the spot Feeney had turned upon his back, and it was then discovered that he was shockingly wounded. His clothes were saturated with blood, and several streams of the life-current were issuing from wounds in his left breast. Constable Nedderman, of East Oakland, and Doctor Bamford arrived at this moment, and Feeney was carried into the house. Upon examination the doctor found no less than eight wounds in the left breast, which had been inflicted with a short knife, such as butchers use in skinning animals, which had been ground very sharp and pointed. Some of the stabs had evidently penetrated the left lung, as at every inhalation of the breath, air flowed with some force out from the wounds. Loss of blood had rendered the unfortunate man extremely weak. Feeney was represented as a man of temperate habits and the owner of about forty or fifty thousand dollars worth of property.

On August 4, 1874, Thomas Thornton and Edward Edwards were sentenced to thirteen years' imprisonment in San Quentin for the robbery of W. J. Keating in Oakland, on the night of May 4th. When being taken over the bay, Edwards complained of the tightness of the handcuff by which he was chained to the other prisoners, and

upon examination the Sheriff found that it had cut into his flesh; he therefore loosened it one notch. The fellow returned his gratitude by quietly slipping his hand through the handcuff, and as the boat was about to leave, jumped ashore and managed to make his escape.

On the evening of Friday, December 11, 1874, San Leandro was the scene of a fearful tragedy, resulting in the death of two persons, man and wife. The circumstances of the event are thus told: Leonard Watkins, formerly a station agent and subsequently a Deputy County Clerk at San Leandro, but more recently Deputy County Clerk of Santa Clara County, shot his wife on the street in front of the old Court House, killing her instantly, and then shot himself through the head. There was no accounting for this murder, for the lady was beyond reproach, and its commission must have been the result of a disordered brain.

1875.—At the January Term, 1875, Joseph Ratto was indicted for a murderous assault upon his wife, Louisa Ratto, on October 2, 1874, and was tried, January 29, 1875, found guilty, and sentenced to one year's imprisonment in the State Prison.

On April 16, 1875, a shooting affray with fatal results occurred near the farm of a Mr. McGeery, about five miles northeast of Livermore. It seems that two brothers, George and Jack McGeery, pre-empted adjoining quarter-sections which were confirmed to them. George McGeery died in the interim and his brother held his quarter-section. Antonio Garcia, a Spaniard, who claimed to have had previous possession, had since the death of George McGeery attempted to dispossess the brother and regain the land. The parties had been quarreling for some time, with many threats of violence on either side. On the date mentioned, as Jack McGeery was returning with his family, he was assaulted by Garcia and a man named Davis. He tried to escape from them, and sent his family on with a neighbor. Garcia and Davis continued to pursue, while McGeery retreated. Davis was armed with a revolver, and Garcia is said to have had a knife. McGeery was unarmed. Finding they could not overtake him, the pursuers mounted their horses, which were near, and stopped McGeery near his place. Here he was knocked under the fence by one of the persons. McGeery succeeded in getting partly over the fence, when Garcia and Davis got hold of him and dragged him back. McGeery's wife then came to her husband's assistance, bringing a loaded revolver, with which the tables were quickly turned, McGeery shooting Garcia in the breast, causing death in a few moments. The Coroner's jury acquitted him, finding the killing to be justifiable.

In the April term of this year Louis Hanson was indicted for assault to murder Lizzie Hanson, his wife, on or about February 23, 1875; he was duly tried, found guilty and, May 5, 1875, sentenced to two years in the State Prison.

Joseph Newell was indicted for assault with a deadly weapon upon Thomas Harly, and July 15, 1875, was sentenced to nine months' imprisonment in San Quentin.

1876.—During this year Alameda County was the scene of a trial more extraordinary than which possibly never occurred in any country. Harry D. Wakefield was arraigned for having married in several States no fewer than eight wives, all of them being alive. His mother, who was a resident of East Oakland, appears to have

been aware of his matrimonial ventures, for when about to commit himself to the nuptial knot for the last time, she wrote to him the following few words of caution: "Be careful that you don't get deceived again—you know you've been deceived so often."

On the night of Friday, June 30, 1876, officer W. D. Thomas was desperately wounded by one Louis Strand, a Norwegian, at East Oakland, under the following circumstances: While Officer Thomas was strolling along East Eleventh Street, on the evening mentioned, he saw his assailant, whom he at once recognized, come along with a box upon his shoulders, but upon being seen Strand turned sharply up another street. This movement aroused the suspicion of Thomas, who knew that Herman Drucker had been moving his large stock of liquors into his new saloon on Thirteenth Avenue, near the Brooklyn railroad station, and that Strand had been working there the day before as a carpenter, and thought that he might have helped himself to a box of liquor. He accordingly walked after the retreating form until he overtook Strand, when he discovered that he had a large box filled with bottles on his shoulder. On being accosted Strand replied that the bottles in the box contained wine, with which he intended to celebrate the 4th of July. Thomas then asked him to set the box down. During this colloquy the parties had reached the corner of East Twelfth Street and Tenth Avenue, where there was a carpenter bench and a pile of lumber. There was a hatchet and a drawing-knife lying on top or among the bottles, and as Strand set the box upon the bench he picked these up. Officer Thomas noticed the movement, but thinking that it was done that he might more readily get at the contents of the box, paid no attention to it. This accommodating move and the fact that the man was a hard-working mechanic disarmed him of suspicion, and he carelessly leaned over the box to inspect its contents. As he was thus stooping over, baring the back of his neck, Strand dealt a murderous blow at him with the hatchet, with the evident intention of severing the officer's spine, or of cutting the jugular vein. Fortunately Thomas caught a glimpse of the quick movement of his antagonist and dodged, throwing up his left arm to ward off the blow. The blade of the hatchet fell heavily across the back of the left forearm about five inches back from the wrist, opening a gash three and a half inches in length and in depth to the bone from one side of the arm to the other. The blow deadened the arm and stunned the officer slightly, and before he had fairly recovered, or could get out his pistol—almost before he had time to think at all, Strand aimed another blow at him, which struck the hand of the same arm, opening the flesh and muscles to the bone, from the junction-knuckle of the middle finger diagonally toward the base of the thumb for a distance of an inch and a half. This wound, however, the officer scarcely felt, as that on the arm had already benumbed the hand. Thomas kept attempting to get his pistol, but a third blow fell heavily against his right jaw, near the point of the chin, and knocked him to his knees. Luckily he fell against the pile of lumber, and this doubtless saved his life, as the contact threw him forward upon one foot and one knee and left his pistol hand and arm free. Before the would-be assassin could advance to follow up his advantage, Thomas got his pistol out and fired, almost in his face, shooting him in the forehead. This staggered Strand and he fell back a pace or two, but for which Thomas would doubtless have killed him on the spot. The ball, however, must have

struck him on the right side of the forehead, glanced over the skull and come out near the crown of the head, as indicated by two holes and blood in Strand's hat, which was left on the ground. Rallying, the assassin was about rushing upon the officer again, when Thomas fired a second shot, but it is doubtful if this took effect, but it served the purpose of saving his life, for now Strand fairly "bolted," with the officer in hot pursuit. He was duly arrested, tried at the July Term, 1876, and on August 2d sentenced to one year's imprisonment in the State Penitentiary.

It may be mentioned that on the night when the tragedy just alluded to was being acted in Brooklyn, Oakland was the scene of no less than three daring burglaries, the perpetrators of which succeeded in effecting their escape.

During the month of March, 1876, Peter Chisholm and T. B. Mortee were employed as clerks in the office of Higgins & Conkling, stock-brokers, at 322 Montgomery Street, San Francisco. For some reason Mortee was discharged from his position and he accused Chisholm with being instrumental in his removal. On June 5th, together with a friend, H. La Grange, he went to Badger's Park, where the picnic of the California Theater Boat Club was being held. There he fell in with Mortee, and angry words immediately passed between them, which resulted in Chisholm's proposing that they go outside and settle their affair by fighting. Mortee objected to this manly way of terminating the difficulty, however, and instead picked up a piece of two by three scantling, with which he struck his opponent just over the ear, crushing the skull and making a horrible wound, from which he died. The slayer claimed to have acted in self-defense, and was held to answer before the next Grand Jury. He was duly tried, but on the jury failing to agree, was discharged March 15, 1877.

During a quarrel about a woman at Alameda on July 13, 1876, Amedee Joseph Deligne was shot by Alfred Janin; while, on the 7th August, Carlos Quintero was sentenced to imprisonment for life in the State Prison for the murder of "Indian Jim," near Niles, on the 11th of March. On August 4, 1876, the trial of Felix Polzinsky commenced in the Third District Court for the murder of a man named Joseph Kreuchefski, both being Russians. The crime was committed in the central part of the county in April, 1876, on the ranch of Mr. Sinkwitz, near Haywards. The deceased had recently rented the ranch. Soon after taking possession of the farm he suddenly disappeared. The defendant was subsequently found with some of the effects of the dead man, and some time in June the dead body was found, buried in a shallow grave on the ranch, with a bullet wound in the throat. Polzinsky admitted the killing, but claimed that the gun was accidentally discharged in a scuffle, the two men having quarreled about the measurement of some wood. He was indicted on July 13, 1876, the cause being transferred to the Third District Court, and sentenced to life imprisonment, August 7, 1876.

1877.—The pistol was early at work in this year. On the evening of January 19, 1877, Lewis Shearer, of San Francisco, was shot and wounded by Henry W. Kind, the affair being the result of a personal matter which need not be here reverted to.

Of an other affair that occurred in the same month the *Tribune*, of January 23, 1877, says: "Last spring there appeared in Oakland a Frenchman, Leon Castangau by name, claiming to have recently lived in Chicago, before that in New Orleans. Being

of a jovial and convivial nature, and exceedingly liberal with his means, he soon acquired a large number of friends. He was also an expert at billiards, and became acquainted with the sporting portion of the community, by playing several public match games of billiards in this city. In the middle of July he took charge of the Grand Central Hotel billiard-room, and it was while in that situation that he got into the difficulty which has kept him a prisoner in the county jail for over three months. Castangau and one Henry Zweifel, a bar-keeper at the Grand Central, were in the habit of enjoying a convivial glass together, occasionally, and while liquor tended to make the excitable Frenchman still more vehement in his actions, the phlegmatic Zweifel would become stupidly prone to fits of alternate courtesy and discourtesy. On the afternoon that Cooper & Bailey's Circus gave its first exhibition in this city, Zweifel and Castangau attended that institution in company. Arriving back at the hotel after the performance, a dispute arose between the two and a fight occurred, during which the Frenchman suffered the loss of a portion of his left thumb, either by one of the two pistol shots fired at him by Zweifel, or by the latter's biting the member off, and the bar-keeper was stabbed in the loin. Castangau was arrested and held by the Police Judge to appear before the Grand Jury, who found a true bill against him of assault with intent to commit murder." He was duly tried, and adjudged not guilty.

On March 8, 1877, the trial of José Rodrigues for the killing of Joseph McDonald, at San Leandro, some three months previously, was commenced before Judge McKee of the Third District Court, when he was found guilty of manslaughter, and sentenced to three years' imprisonment in the State Prison.

At the July term, 1877, Edward Clancey was tried for the murder of Manuel Silva, the circumstances of the case being as follows: An intimacy had been formed between Clancey and Silva's wife, who was an Irishwoman. Clancey stated that Mrs. Silva had agreed to raise the window of her chamber on the night of the 4th of June last, in case Silva was not at home. Clancey was to give a signal by throwing pebbles against the side of the house. He gave the signal agreed upon, and did not await a response, but ran round to an outhouse near the Methodist Church, Haywards. He had a pistol in his pants' pocket. Silva followed and attacked him with a heavy club, and after receiving two blows, Clancey fired his pistol upon Silva and fled. He did not deny the killing, but claimed that it was in self-defense. He was found guilty of murder in the second degree.

Among the items of criminal history mentioned by us as occurring during the year 1869, was the arrest of Patrick Glancy for causing the death of Robert Lightbody. Glancy or Clancey was convicted of this murder in the July term 1877, and sentenced to fifteen years' imprisonment in the State Prison.

1878.—At the April term, 1878, Chung Wong, a Chinaman, was indicted for murder. The case was transferred to the Third District Court, but on September 12, 1878, he was declared insane and committed to the Napa Asylum.

1879.—During the year 1879, the only very serious case that we find in the records, was the conviction and imprisonment of Clark De Forrest, June 30th, for ten



W. F. Patten

years in the State Penitentiary, for an assault to commit murder; other than this there were the usual quota of burglaries, and cases of larceny, but none of sufficient gravity that they should be remembered, save by the victims.

1880.—The reader may remember the case of Frederick W. Clarke, who shot Zelotus Reed in 1871. In the meantime he had been charged with embezzling money due the estate of his father, H. K. W. Clarke, and on January 24, 1880, was once more arrested, on the complaint of A. B. Lawson, for the original crime. The case was eventually taken to the Supreme Court, under a writ of *habeas corpus* and that tribunal under date March 23, 1880, rendered its decision. The Court held that the fact that Clarke had already been before two Grand Juries, was no bar to the case being again examined into. Judge McKinstry delivered the opinion, in the course of which he said:—

Inasmuch as there is no limitation of time applicable to prosecution for *murder*, and as a defendant in whose order a dismissal of the action has been made, has never been put in *jeopardy*, within the meaning of the Constitution, a new action on behalf of the people may in such case be initiated at any subsequent day, either by presentment of a Grand Jury or by a complaint filed with any magistrate.

As we have seen, if the Superior Court retains the power to resubmit a charge once or oftener dismissed by a Grand Jury, for any length of time after the *prosecution* has been dismissed, the power may be employed at the option of the Judge or of any number of successive judges, without complaint or evidence or any cause shown. The practicable difficulties inseparable from such construction of the statute seemed to have occurred to counsel, who suggested at the argument that the power should be exercised by the Superior Court only after the defendant had been rearrested under warrant issued out of that Court and his case re-examined. To authorize such a proceeding we would have to supplement the section of the Code with other sections providing for the issue of such warrants, the admission to bail in certain cases, etc. In the first place the language of section 942 is plain, and does not contemplate any new warrant and examination in such case; in the second place, we are not empowered to legislate or provide machinery which the law-makers have not provided, but which they have rejected; and, in the third place, no benefit would accrue to a party charged with crime, since the result of the proposed changes in the law would only be to confer on the Judge of the Superior Court in another form the same power which he now possesses in common with all other magistrates, to wit: the power to issue a warrant and to examine and to hold to answer.

We have only to add that the main question involved in the present application was expressly decided in *ex parte* Cahill, 52 Cal., 463. In that case the facts were like those of the present, except that there the County Court had made an order resubmitting to the next Grand Jury, after it had dismissed the action, or discharged the defendant from custody. But the Court did not there hold that the power to resubmit continued after the prosecution had been dismissed, and there could have been no pretense that the order of resubmission in and of itself constituted a warrant or process which justified the Sheriff in restraining the party of his liberty. The Court in terms declared that the Sheriff was justified in holding his prisoner by the warrant of the Justice of the Peace. "The Court say: No bar to another prosecution having occurred, and the prisoner being at large without bail in consequence of the order of the County Court discharging him from custody, it was competent for any committing magistrate of the proper county to examine the charge made against him, and if, upon such examination, he appeared to be guilty, to hold him to answer."

Judge McKee dissented from this opinion, and on the 29th May, in Department No. 2 of the Superior Court of Alameda County, Judge Greene, after listening to argument by General Irvine, and remarks by District Attorney Gibson, reviewed the case of F. W. Clarke, charged with murder, dismissed the prosecution, and discharged the defendant, thus setting him once more free.

On the night of Monday, February 2, 1880, a ferocious assault was made on two Chinamen named Chu Fun and Chu Long, at a Chinese gambling-house on Webster Street, midway between Eighth and Ninth, by which the two Celestials named were

terribly cut about the head and face. The affray occurred about eight o'clock over a game of tan, and the assaulting heathens were from Spofford Alley, San Francisco. As soon as the affair was known, officers Ross, Field, and Coughlan hastened to the scene of the probably fatal occurrence, and found the interior of the rooms bespattered with blood on all sides. Stains of blood were also found at the door-sill and on the boards leading to the side-walk. The mutilated Chinamen were carried out of the house soon after they had received their injuries and placed under the care of Doctor Li-Pu-Tai, a Chinese physician of San Francisco. They were subsequently taken to the San Francisco Hospital. Chu Fun was gashed fearfully across the middle of the face and through his nose, and from above the right temple through the cheek into the mouth. Chu Long was cut on the head, face, back, shoulder, and arm. On the 6th February Officer Ross captured Loh Ah Wing, one of the five murderous assailants, on Eighth Street, Oakland, and took him to the City Prison, and on the following day he was arraigned in the Police Court on a charge of assault with a deadly weapon. The case was, however, continued, as one of the wounded men was thought likely to die.

On Saturday, February 7, 1880, a very painful accident occurred on Second Street, when an unfortunate woman was shot while walking along the thoroughfare.

At the inquest eight of the jurors agreed upon the following verdict, and the ninth juror would not add his signature without the additional words which are given below:—

We, the undersigned jurors, after inspecting the body and hearing the testimony adduced, do find the deceased was named Ellen Stetson, a native of Wales, aged thirty-seven years. That she came to her death on the 7th day of February, A. D. 1880, by a pistolshot wound in the neck, causing immediate death, while she was crossing Second Street, near her residence. And the jury find that the shot was fired by one Jacob Lenz, from the grocery store of William Lenz, while in an altercation with Patrick McFadden.

(Signed) GEORGE W. SMITH,
JOHN SCOTT,
WM. J. ATKINSON,

J. J. KANE,
F. T. HALL,
F. CURNIFF.

J. W. TUCK,
WM. WILLIAMS,

The above verdict I agree to, with the addition that I believe the shot was fired in self-defense.

ROBERT REED.

Perhaps no more exciting time was ever witnessed in Oakland than when the intelligence became public that Alfred Lefevre, a dentist, having his office at the corner of Eighth Street and Broadway, had been shot and killed by Edward F. Schroeder, a clerk in the London and San Francisco Bank, San Francisco, on Monday, July 26, 1880. The circumstances of the case need not be here repeated; the details will be found most elaborately portrayed in the periodicals of that time; the page of history is not the place to pamper to a morbid taste for meretricious literature. Suffice it to say that the most eminent legal talent was arrayed on either side; the speeches for the prosecution and defense teemed with erudition, notably those of Messrs. Hall McAllister, Foote, and Gibson, while the charge of Police Judge Yule will take rank side by side with the best efforts of older lawyers. It will not be readily forgotten with what thrilling interest Mr. McAllister held his audience as he defined the fine points of mania, transitory insanity, monomania, and malice, which were successful in clearing Schroeder from this most horrible crime.

On May 17, 1880, Low-Kee, a Chinaman, was indicted for the crime of murder, and on July 12th was sentenced to ten years in the State Prison.

1881.—On November 9, 1881, A. J. Ross, charged with an attempt to kill special officer Martin, was discharged from custody, and Martin, who was then arraigned, was convicted, but in consideration of the fact that he had suffered severely from knife wounds inflicted during the fight, the Court did not think it necessary to impose a fine.

On August 7, 1881, a man named John Taylor was grievously assaulted by one Poblec, near Livermore, from the effects of which he died. He was duly tried before the Superior Court.

Since this time the red hand of murder has happily been stayed, although several lives have been taken by accident, but as there did not appear to be any criminality connected with these it has not been thought advisable to mention them in this place. Suicides have been too common, and so will they continue, it is to be feared, so long as the public countenance this means of "shuffling off the mortal coil" and consider it as a right that every individual has. Surely, the life given us to maintain is no more ours to destroy than is that of our neighbor. To take both by violent means is equally heinous, and suicides will continue to be the part of the callous as long as the public look upon it as no particular sin. Thefts are too common to notice, and while we pen these lines a young man who had hitherto held a high position in the esteem of his fellows, is under order for trial for embezzlement of the public funds intrusted to his care. As the trial has not yet taken place, no good purpose would be served by making further mention of the circumstance. That crime is on the decrease is due to the efficiency of the officials of Alameda County.



ALAMEDA TOWNSHIP.

GEOGRAPHY.—Alameda Township is bounded on the north by San Antonio Creek and Oakland Township; on the east by Brooklyn Township; on the south by the Bay of San Francisco; and on the west by the Bay of San Francisco.

TOPOGRAPHY.—The township of Alameda bears, in outline, some resemblance to the elbow of the human frame; is about one mile in width and three and a half in length, and has an area approximating twenty-two thousand acres. It has, however, no very marked topographical features, and may be described as a level, sandy plain covered with umbrageous oaks, which still give to the place an air of sylvan retirement. Its southern boundary is a well-defined water-front, somewhat abrupt, merging northward into marsh or overflowed lands, all of which are susceptible of reclamation.

STREAMS.—There are no streams in the Encinal or Alameda, but being a peninsula, as its name implies, it is necessarily washed on three sides by water, those of the San Antonio Creek and San Leandro Bay being all-important, for here are we to have the capacious Oakland Harbor, with its adjuncts of shipping and commerce, in which Alameda will naturally share as well as its greater sister of Oakland.

CLIMATE.—Compared with San Francisco and Oakland the climate of Alameda is remarkably mild. The westerly sea winds of summer which sweep over the former and round the bay, are less than a mile high. They are gradually arrested by the Coast Range of mountains, and partly by the easterly current of air which overlaps the lower stratum. This easterly current is always dry in summer, coming, as it does over the arid soil of the San Joaquin Valley, where it encounters a solar temperature of nearly one hundred degrees Fahrenheit. First, then, we see that the resistance which is offered to the westerly current either modifies its force, or entirely overcomes it before it reaches the Encinal; and, as a secondary consequence, the fog-bank is not only held at bay, but it is absorbed by the hot, dry, easterly current which is continually pushing seaward. Together these causes conspire to lessen the amount of summer winds, and to make fogs the exception to the general rule. Thus, while the citizens of San Francisco are immersed in dense fogs and subjected to high winds, Alameda, but twenty minutes of time distant, is enjoying the clear, calm sunshine of a delightful climate, which is neither so cold as to be uncomfortable, nor so hot as to be oppressive.

Though the same remarks will apply, to some extent, to the climate of Oakland, yet, owing to the fact that the northern boundary of that city being covered by the waters of the bay, and the city itself being nearly opposite the Golden Gate and thus more exposed to the direct force of the trade-winds, there is probably as much difference between the climate of Oakland and Alameda as there is between San Francisco and Oakland.

SOIL.—Nothing can be said in this regard but that nature has been more than usually benign to this favored spot. The soil though sandy is extremely productive, being especially adapted to the growing of small fruits and vegetables, while Bay Farm Island bears a reputation for its fertility which is unsurpassed.

PRODUCTS.—Alameda Township is not a farming district in the proper sense of the term. Its products are almost entirely confined to the raising of fruits, tubers, and vegetables, which, owing to the peculiarity of its climate, and to its warm, sandy soil, are usually the first in the San Francisco market. Flowers, too, grow with marked luxuriance as the many well-kept gardens can testify, while its nurseries are industries which fully sustain the above remarks.

Early in the year 1870, a correspondent of the *Scientific Press* while dilating on the delights of Alameda's temperature and its adaptability for the production of semi-tropical fruits, says: "At Mrs. Doctor Haile's residence I was shown the noted lemon tree, the seed of which the late Doctor Haile brought from Panama in his vest pocket and planted fifteen years ago, where it is now growing. The tree stands eighteen feet high, is very symmetrically formed, vigorous and thrifty, branching low, and spreading sixteen feet across. The lady informed me that at least two hundred and fifty lemons had been gathered from the tree that season, and I estimate the number on the tree now at three hundred and fifty. The tree has produced fruit several seasons. I saw lemons in all stages of growth from the blossom to the ripened fruit. The full-grown fruit is of medium size and very beautiful. The quality is excellent. The skin is rather thicker than the imported lemon, while the pulp, though acid, is exceedingly pleasant." It will thus be seen that the lemon and the orange will withstand here the frosts of winter, while who shall say of what the spring and summer months are capable? The yield of such delicacies as asparagus and tomatoes is enormous and most profitable—five hundred dollars per acre of the first named has been cleared on Bay Farm Island—while all land for such purposes commands high rents. Of the numerous orchards what shall we say: As early as the month of February the eye is gladdened with the almond tree in full bloom; then come the white, snow-like blossoms of the cherry, to be followed in quick succession by those of the plum, the apple, and the quince, which brings this gorgeous floral *fête* half-way into the month of April. Then comes with unerring certainty the growth and ripening of the fruits, accompanied by the springing of flowers. He who visits Alameda in the spring-time will be ravished by the beauties which surround him; his autumnal visit though not so kaleidoscopic still bears the sense of fruitful plenty and quiescent comfort, twin benefits that make man feel at rest with himself and the whole world.

TIMBER.—Nearly the whole peninsula of Alameda is covered with live-oaks, whose beautiful forms and ample boughs lend an air of pastoral retreat to the place. As the town has been laid out and the necessary thoroughfares graded, many of these have been removed, but enough remain to leave to the imagination the filling-in of the picture as it was when the first settler made his appearance in the quest of game among the thick undergrowth and gnarled trunks of these ancient groves. With the advance of time many other trees have been planted to embellish the homes

of citizens, but none of these—variable species though they be—are so noble as the primeval oak, which, happily, are under the fostering care of the “city fathers.” No oak may be laid low without permission of the Board of Town Trustees.

MEXICAN GRANTS.—This township has no especial Mexican Grant in itself, but was a portion of the Rancho de San Antonio, granted to Don Luis Maria Peralta, and by him given, with other property, to his son Antonio Maria Peralta. It was originally called “Bolsa de Encinal,” and sometimes “Encinal de San Antonio,” the first-named meaning the low-lying or level lands of the peninsula, and the last the peninsula of San Antonio, taking its style from the creek of that name.

EARLY SETTLEMENT.—Prior to that memorable year, 1848, when gold was discovered by James W. Marshall in the tail-race of Sutter's Mill at Coloma, the Encinal of Alameda was, to all intents and purposes, a *terra incognita* to the Anglo-Saxon. It is true they may have looked upon it from the distant shores of Marin County, while their ships lay in the cove of Saucelito taking in supplies of water, or perchance have gazed upon its wooded area from the sand-dunes of Yerba Buena, and thought of it as a place where game should be found in more or less plenty; but that it was ever visited by them is a matter of which there is no kind of record. That it was a land beautiful beyond comparison, we know from what we to-day see of its pristine groves whence it takes its name. With the advent of the immigrant its productiveness was soon put to the test, and at a very early date it became the resort of the hunter, the trapper, and the charcoal-burner, who on landing found the ground occupied by coyotes, quail, hares, rabbits, and possibly deer in companionship with stray herds of cattle that had found their way to this shady retreat through a brush-fence constructed by Antonio Maria Peralta, the course of which is described as being from where the Fruit Vale Station of the Central Pacific Railroad now stands, along the line of the avenue leading to Park Street in the town of Alameda.

It has been elsewhere stated that on August 23, 1820, the Spanish Government, on account of services rendered to his country, granted to Don Luis Maria Peralta an estate comprising no less than five leagues of land of the fairest territory on the Pacific Coast. In this was included the Encinal de San Antonio, now known as Alameda Township, which he transferred to his son Antonio Maria, who held it intact until the year 1850, when he leased a portion of it to two Frenchmen named Depachier and LeMaitre, who acquired the tract for the purpose of supplying the San Francisco market with fire-wood, the cutting of which they claimed under the provisions of their lease, but which, we are informed, actually forbade them doing so. These two gentlemen were the actual pioneer settlers of Alameda Township; the next were W. W. Chipman and Gideon Aughinbaugh, the latter of whom still resides on the peninsula.

1850.—In a lengthy interview with Mr. Aughinbaugh he informed us that he arrived in San Francisco in the year 1849, and after keeping a grocery store at the corner of Mission and First Streets, where now stand the gas-works, he came over in September, 1850, with Chipman and subleased from Depachier and Le Maitre the eastern end of the Encinal, comprising one hundred and sixty acres fronting on San

Leandro Bay, where they pitched their tent; the site may be described as lying south-east of Versailles Avenue. They were soon followed, indeed before the end of the year, by a Belgian named Parfait, who put up a cabin on the south side of what is now Monroe Street, between Mound and Court Streets, and three brothers named Salmon, who located on the "Sandy Point," which, on account of the depth of water, was the then landing-place for the Encinal. These last were hunters. In the meantime Chipman and Aughinbaugh sent to the Eastern States for fruit-trees of various kinds, chiefly peach, apple, and cherry, and in May, 1851, planted them on the land now occupied by the High-street Station and adjacent tracks of the South Pacific Coast Railroad, and the contiguous lands on the northeast. Some of these trees are still standing. The next phase of proceedings on the Encinal was its purchase. Whether Colonel Henry S. Fitch *intended* or *proposed* to buy it, we have nothing to do; our duty is to record who were the actual purchasers.

1851.—During the month of October, 1851, negotiations were commenced and consummated between Gideon Aughinbaugh and Antonio Maria Peralta, at the residence of the latter in Fruit Vale, whereby the entire Encinal passed into the hands of William W. Chipman and Gideon Aughinbaugh for the sum of fourteen thousand dollars, and immediately thereafter, in the following month, they commenced the erection of the first frame dwelling-house in the township—one of those which had been brought in pieces from the Atlantic Coast to California. It may still be seen standing a little southeast from High-street Station. As Mr. Aughinbaugh *naïvely* remarks, "money was scarce," therefore it was necessary that that essential commodity should be raised. The partners therefore determined to dispose of some of their real estate; consequently, tracts representing one-fourteenth interest were sold to Messrs. Hays and Caperton, J. J. Foley, J. J. McMurtry, H. S. Fitch, and Wm. Sharon (this last in 1852), and a one-third interest to B. F. Hibbard and C. Minturn, besides about one hundred and fifty acres to C. C. Bowman. The consideration (three thousand dollars) for the Fitch-Sharon one-fourteenth interest was a fifty-vara lot at North Beach, San Francisco, and the balance secured by mortgage on the interest sold. The same tract was conveyed in 1854 to Charles L. Fitch, and in 1857 he obtained possession and held it by force of arms until the "Squatter's League" then existing, declined to assist the squatter claimant to regain possession.

1852.—In September, 1852, Chipman and Aughinbaugh partitioned off forty-three lots, each four acres in extent, in the eastern portion of the Encinal, fronting on what is now High Street, offered them for sale, and under the persuasions of the "silver-tongued" Colonel Fitch, brought an average price of eighty dollars *per lot*. Thus had the town of Alameda its start. Among the purchasers were the Rev. William Taylor and his brother Harvey Taylor, names which are still familiar in the Alamedan groves. About this time the Rev. A. H. Myers settled on the land already said to have been sold to C. C. Bowman, where he started the first nursery in the peninsula, while to him is also due the credit of being the first to administer to the devotional wants of the then small community. Louis Ettebleau also came in this year and erected the first hotel in the Encinal. As soon as the four-acre lots were disposed of

the construction of a levee across the slough between them and the point was undertaken by Chipman and Aughinbaugh, while in that year we have learned that John D. Brower lived about half a mile north of where now is the Willow-street Station of the Central Pacific Railroad. Franklin Pancoast dwelt about a quarter of a mile east of Park-street Station; Henry and Russell M. Rogers had their abode near where Chestnut Street and Central Avenue now are; Mason and Wickware, now of San Francisco, were called squatters in those days, not "capitalists," and claimed and occupied nearly all the tillable land lying between what is now the Fitch Tract and Webster Street, on the creek side of the peninsula, that is north of Mastick Station; Dr. B. F. Hibbard had a large two-story frame-house built from drift-lumber picked up on the beach, and situated on the tract of land purchased by himself and C. Min-turn, which may be to-day described as being situated between Clinton Avenue and the Bay-shore, and Union and Lafayette Streets.

1853.—In the year 1853, there arrived on the peninsula Thomas A. Smith, N. W. Palmer, H. S. Barlow, A. S. Barber, and several others whose names are not now remembered, but it is pleasing to be able to state that nearly all these gentlemen still survive the "whips and scorns of time," with every prospect of many useful years before them.

1854.—In 1854 Chipman and Aughinbaugh desired to still further increase the size of their town, and at the same time replenish their somewhat exhausted exchequer, for they had established the *Bonita* on the ferry route between San Francisco and Alameda, but she was found unsuited and was to be displaced. To these ends they laid out a number of blocks of two hundred and thirty-three feet square, containing lots thirty-three by one hundred feet, which realized fifteen thousand dollars at auction. With this product, the *Ranger* was purchased at Sacramento, replaced the *Bonita*, and a series of attractions known as "watermelon excursions" inaugurated. Chief among these was the offering of a lot free of expense to any one who, on acceptance, would build a house thereon. This tender was made by public advertisement, and produced no fewer than three hundred applicants, who were promised their title-deeds upon completion of a building, but only twenty complied with these provisions, and the balance were forfeited and sold by auction. Among those who fulfilled this engagement were C. C. Mason, who at once started the first livery-stable in the town, and a man named Keys who opened a boarding-house. Each of these received two lots. Still further in the hope of benefiting their property, a charter was granted in 1854, by the Legislature, to these gentlemen to build a bridge and road from Alameda to San Leandro *via* Bay Farm Island. Accordingly they built a bridge across the neck or mouth of the bay at a cost of about eight thousand dollars—which bridge was subsequently removed by these parties and used for constructing a wharf at the west end of the Encinal. They also proceeded to throw up a road twenty feet wide on the top, from the bridge, across the marsh to the Island, a distance of over a mile, on the roadway of which was placed a surface of oyster shells one foot deep. This section of the road cost five thousand dollars. Another section of the road was thrown up from the Island to the main-land toward San Leandro, which was not finished, but cost six thousand dollars, but from all this outlay they never had any return.



Howard Overacker

Although the entire population of the Encinal did not muster more than one hundred souls in April, 1854, it was found necessary to undertake the glories of incorporation, which boon was granted by the Legislature under the title of the Town of Alameda. By Section Two of that Act the boundaries were fixed as follows: "On the northwest by the northwest line of the land of James J. Foley, Jr., purchased of W. W. Chipman and Gideon Aughinbaugh, running north $34\frac{1}{6}^{\circ}$ east from an oak-tree eight inches in diameter, on the shore of the Bay of San Francisco, eighty-nine and eighty-three hundredths chains to the line of the land of Antonio Maria Peralta; thence south 61° east along the line dividing the land of said A. M. Peralta from the land deeded to said Chipman and Aughinbaugh by said Peralta, October 22, 1851, until said division line strikes the Estero de San Leandro, at the head thereof near Romby's brick-yard; thence following down the center of said estero to its mouth, in the Bay of San Leandro; thence following the center of the channel thereof, and the deepest water along the southern border of the Encinal San Antonio, about two hundred yards from the line of ordinary high tide thereof, until the said line in the water of said Bay of San Leandro, running a southwesterly course, following the general outline of said southerly border of said Encinal, strikes the center of the channel opposite to the present steamer-landing in said town of Alameda; thence following the center of said channel northwesterly, until the said center line strikes the first boundary line projected; thence with said boundary projected north $34\frac{1}{2}^{\circ}$ east, to the beginning." No election of officers being held under the Act, however, it became void.

In 1854 Dr. Hibbard laid out his tract into the town of Encinal, and in the year following built out therefrom his wharf, which was afterwards so well known by his name, while not long thereafter, the town of Woodstock was planned and platted, both of which are now grafted on to the parent stem of Alameda, although deeds still speak of land being "near the town of Encinal." In this year, too, the first store on the peninsula was opened by Zeno Kelly, now of Oakland, and stood at what is to-day the corner of High Street and Central Avenue, while about this time A. B. Webster, father of the present County Treasurer, started the first lumber-yard.

In a town which has grown so quickly as has Alameda, it is impossible to mention the names of residents as they arrived and settled. This is a difficult enough task in farming districts where inhabitants are scattered over a large tract of country, but whose arrival may still be recollected from the fact of a neighbor having cast his lot in a certain section. With locators in towns, however, this is different. For a long time citizens are but "birds of passage" at best, and their coming or going causes no remark, consequently there is no beacon whereby the memory may be guided. Among the early settlers of Alameda we have the names of Doctors W. P. Gibbons and Henry Haile, the distinguished lawyer A. A. Cohen, who was the moving spirit in the establishment of the Alameda and Haywards Railroad and the San Francisco and Alameda Ferry, the late eminent and lamented Henry H. Haight, Governor of California from 1867 to 1871, E. B. Mastick, Hon. Henry Robinson, Hon. Nathan Porter, General M. G. Cobb, R. H. Magill, and many others.

1855 to 1869.—As early as the year 1855 the attention of the public was

attracted to the necessity of providing means of education for the few children that were then there. To this end a school-house was established in a cabin sixteen by twenty feet, standing on a lot forty by one hundred feet, part of the site of the present school-house in Old Alameda. In 1864 the school district, which then comprised the whole peninsula, was divided, and the main structure of the present Alameda School-house was built by contract for the sum of two thousand six hundred and twenty-six dollars, which sum was raised by a special tax. The furniture was purchased with the proceeds of a festival, given by the ladies of the town, some of whom are still residents of it, among them being Mrs. Hastings, Mrs. J. N. Webster, Mrs. A. S. Barber, Mrs. Millington, Mrs. Palmer, Mrs. W. B. Clement, and others. The old school-house was sold at auction to the late H. S. Barlow, and by him moved to Park Street, where it constituted the original Loyal Oak Hotel. What remains of it now stands in the rear of that building, and is occupied as a dwelling.

Until the establishment of the San Francisco and Alameda Ferry regular route, which sprang into life mainly through the exertions of A. A. Cohen, the mode of access to the metropolis was by means of ferries of various kinds—first the whale-boat and followed by steam communication from the several landings at Old Alameda Point, West End, and Hibbard's wharf, or by a weary, plodding journey to the slimy banks of the San Antonio Creek, across it to Oakland, and thence to the Bay City.

1869.—On Thursday, September 16, 1869, the first number of the *Encinal* of Alameda was issued. The town had by this time grown to such proportions that a newspaper was felt to be needed, and F. K. Krauth, who still owns the sheet, seeing that necessity, sent forth his excellent paper to the world. In his salutatory article, the editor enters upon the "whys and wherefores" of the *Encinal*, and says: "Our hopes of success are based on material considerations. About five years ago this place was aroused from a state of hibernation by the whistle of a locomotive. The Alameda Railroad Company had finished and stocked a road extending from the bay to Haywards, a distance of fifteen miles. Since that time it has carried an immense amount of freight, and over two million five hundred thousand passengers; and through the uniform prudence and good judgment which have directed its operations, not an accident has ever occurred to one of these. Six years ago the whole town of Alameda might have been bought for three hundred thousand dollars. Now the same property could not be purchased for four millions. And yet another era has dawned upon us, in the completion of the Western Pacific Railroad, and the termination of one of its branches, which will convey its freight from Alameda wharf to the foot of Second Street. It will thus be seen that the elements of material prosperity are in activity within the limits of this little town." But scarce two months had passed when the boast of freedom from accident on the line of the railroads was dashed into nothingness. On November 14, 1869, there occurred one of those distressing casualties into the details of which we need not enter, the cause being made sufficiently apparent in the following verdict of a jury of inquest held in Alameda three days after the event: "We, the jury impaneled on an inquisition held at the town of Alameda before Judge Clement, Justice of the Peace and acting Coroner for the County of Alameda, State of California, to inquire into the cause of the death of

Alexander White Baldwin, A. Boulet, Edward Anderson, George Thompson, Charles Martin, Frank B. Milliken, J. D. McDowell, David Wand, Max Sherman, Thomas F. Sandoz, James Curly, Brunson H. Fox, and Henry L. Peterson, do find, from the evidence before us, that the said persons, and each and all of them, came to their death from the effects of a collision which took place between the westward-bound train of the Alameda Railroad and the eastward-bound train of the Western Pacific Railroad, near Damon's Station, in the said county of Alameda, on Sunday, November 14, 1869, at or about the hour of 9 A. M. of said day, and that the said collision was the result of and was caused by the ignorance and incompetency of the switchman, Bernard Kane, employed at Simpson's Station, in giving a signal to the officers of the Western Pacific train indicating that it was 'all right, go ahead,' and in saying to the locomotive engineer of said Western Pacific Railroad 'all right.' The jury further find from the evidence of said Bernard Kane, that he cannot read, and that the officer of the railroad company whose duty it was to instruct the said Kane in his duties was deceived by said Kane as to his inability to read. Dated at Alameda November 17, 1869. (Signed) H. D. Bacon, Foreman; F. K. Shattuck, F. M. Campbell, C. F. Woods, Robinson Gibbons, Charles Wood." A warrant was at once issued for Kane's apprehension, who was acquitted on the 29th of the same month. In the month of November, 1869, we find that the survey of the Main and Winchester tract was being proceeded with, while many other improvements besides were being carried on.

1870.—On March 19, 1870, the periodical mentioned above made its first appearance under the changed name of *The Encinal*, pure and simple, and a month after published the following sketch of the rise and progress of Alameda. The writer informs us that, "The town was originally laid out by Chipman and Aughinbaugh, with its principal street (High) forming its extreme eastern limit, and where all the business of the town centered; but on the advent of the railroad, it was deserted, and the business transferred to the neighborhood of the 'Station,' where it has since remained, and is constantly on the increase. Alameda Station, which is near the center of the peninsula, is about ten miles east of San Francisco across the bay. Its westerly point is reached by ferry-boats from the foot of Davis Street, and the road travel is made over the Western Pacific (or Alameda, as familiarly known) Railroad. Between the point of landing and Alameda there are three stations about a mile apart, viz.: Woodstock, Mastick, and Encinal. All the freight-trains from the East pass over the road, which runs through the town. The trains are at present 'switched off' at Simpson's from the Central Pacific Road. An extensive wharf, with weather-proof sheds for receiving and protecting merchandise *in transitu* has been erected at 'the point,' or landing, from whence freight is conveyed by boats to the foot of Second Street, San Francisco, without transshipment. The town contains thirteen hundred inhabitants. There are two public schools in Alameda, one at Encinal Station and the other in the upper town, or Old Alameda. There is also a private academy with about twenty-five pupils. Within the next twelve months, we have good grounds for believing, we shall also have a first-class academy for young ladies, within a mile or two of our Station. At the head of High Street, in the old town, a new wharf has recently been erected by Moulton Brothers & Co., for the purpose of running a daily line of schoo-

ers in the carrying trade between Alameda and San Francisco. There are about four hundred families in the township, most of whom occupy their own premises. There are two churches—Presbyterian and Methodist—and two lodges—Masons and Odd-Fellows. From the foregoing remarks it will be seen that Alameda had made prodigious strides towards prosperity up till 1870; its subsequent career speaks for itself. On the 16th April of this year George L. Lewis once more started his stage line from Alameda to Oakland *via* San Antonio and Brooklyn, while about this time the discussion of the construction of what is now the Webster Street Bridge occupied considerable attention.

1871.—On January 15, 1871, the Episcopal Parish of Christ's Church was formed, and the following vestrymen elected: Thomas A. Smith, W. N. Weeks, Dr. Eustace Trenor, R. H. Magill, Charles H. Dickey, the Rev. Sidney Wilbur being pastor. On the 31st of the same month the Private Insane Asylum of Doctors Trenor and Tucker, located on Park Street, was destroyed by fire. The history of this building is interesting. In 1863 it and the Alameda Park Hotel were erected by a company of capitalists with a view of establishing a first-class hotel for summer guests, together with a club-house, with the adjuncts of elegant billiard-rooms, bowling-alleys, etc. The building destroyed by fire was intended for the club-house and was furnished in very superior style. The bowling-alleys were laid, etc., but the hotel proper was, for causes unknown, never built. The premises thus furnished and ready for occupancy were leased to Frank Johnson, who opened them to the public under the most flattering auspices. People came over in crowds to Alameda, and the hotel, large as it was, proved insufficient to accommodate them. After a while, Johnson, finding that he was making nothing, notwithstanding "the rush," disposed of his interest to McDonald, who formerly kept an eating-house at the corner of Clay and Leidesdorff Streets, San Francisco, who, in a very short time, discovered that he "couldn't keep a hotel;" and he in turn was succeeded by Mr. Reed, formerly of the Weber House, Stockton. Reed's path was not strewn with roses; for the business had fallen off—the prestige of the place had gone—and he very soon went with it. It then stood unoccupied for some time, and, until purchased by Doctors Trenor and Tucker, to be used as a Private Insane Asylum with the first-named gentleman as resident physician. This purchase was made in the latter part of 1866, from which time, up to the middle of December, 1870, it was used as a refuge for insane persons whose friends could afford to place them beyond the prying eye of the general public. On June 20, 1871, the hall belonging to the Independent Order of Good Templars was dedicated, while, on the 8th August, the Alameda Academy of Professor J. T. Doyen was destroyed by fire and its entire contents consumed. The following "shooting scrape," the circumstances attending which we glean from the *Encinal*, took place on August 29, 1871: "Our usually quiet and peaceable community was terribly startled on Tuesday evening, on learning that a triple shooting scrape had taken place within our borders. A meeting of the "Independent" party had been held in Good Templar's Hall, and had just terminated at a trifle after 10 o'clock; a number of people who had attended the political gathering were engaged in conversation in the bar-room of the 'Loyal Oak,' when a young man ran in to inquire the whereabouts of

Dr. Trenor, at the same time stating that a man had been murdered by a burglar. A stampede was at once made in the direction indicated by the informant. Constable Valentine immediately closed up his saloon, and in company with three others, also started for the scene. In going through Pacific Avenue, and when within about fifty yards of the spot where the affray took place, this party observed a strange-looking man step out from under a tree into the middle of the road. Going up to him, one of the men asked him who he was and whence he came; to which he made answer that he had just walked in from San Leandro. He at first denied all knowledge of any shooting, but finally acknowledged that he had just shot a man, and said that he had been compelled to do so in self-defense. He was thereupon taken in charge and conveyed into the presence of the one whom he had shot, who, instantly recognizing him, exclaimed, 'Patton! O you devil, Patton! You did it!' Patton was immediately taken away and kept in custody until a conveyance could be procured in which he could be taken to the jail at Oakland." The cause of the quarrel was a girl!

1872.—Let us now turn our attention to the second incorporation of the Town of Alameda. During 1870 some of the citizens took measures to have this "consummation devoutly to be wished" brought to a focus, therefore on January 27th of that year a meeting was held at the Yosemite House to hear the report of a committee that had been appointed to draft a bill for the incorporation of the town. It was agreed that such was desirable, but it was evident that many of the large property-holders were averse to making the town anything other than a place of *country* residence. The bill agreed upon at this time slumbered in the Legislature, and never became law; but, on March 7, 1872, "An Act to incorporate the Town of Alameda" received the Governor's approval, the first section of which ordered as follows: "The people of the Township of Alameda, in the County of Alameda, are hereby constituted a municipal corporation by the name of the Town of Alameda, and the boundaries of said town shall be the same as now form the said township of Alameda." The Government of the newly incorporated town was vested in five Trustees; one Assessor, who was *ex-officio* Superintendent of Streets; one Treasurer, who was also Clerk of the Board of Trustees; while the township Justices of the Peace and Constables were, by the Act, authorized to perform their duties in the town. An election was ordered to be held on the first Monday in May of each year, and the Trustees were ordered to assemble ten days after the first election for the transaction of business. This Act was amended in 1876, and in 1878 a new charter was adopted. These Acts restricted the amount of taxes that could be levied for town purposes and restrained the officials of the town from creating any indebtedness, or expending in any year a larger sum than was derived from taxes in that year. By this wholesome restriction Alameda is entirely free from debt at the present time (1883), save forty thousand dollars which the Legislature authorized by special Acts, for the purpose of purchasing lots and building school-houses. As a result the credit of the town stands high, while as a showing for the bonds issued to build school-houses, Alameda has five splendid institutions of learning with a capacity to accommodate thirteen hundred pupils, while the school department gives employment to twenty-six teachers. But to return to the original Act of 1872. On the 30th March the Board of Supervisors ordered that the town

election be held May 6, 1872, at which date the first corporate officers of the town of Alameda were elected, viz.: H. H. Haight, E. B. Mastick, Fritz Bochner, Jabish Clement, Henry Robinson, Board of Trustees; Dr. W. P. Gibbons, William Holtz (for three years), Cyrus Wilson, Nathan Porter (for two years), Fred. Hess, F. K. Krauth (one year), School Directors; Thomas A. Smith, Treasurer; E. Minor Smith, Assessor. The Board of Trustees met for organization May 13, 1872, when H. H. Haight was elected President, and every Tuesday evening declared to be the time when the Board should convene, and stated that Smith's Hall, at the corner of Park Street and Pacific Avenue should be the place of meeting, and in that building and by the above-named gentlemen, was the official machinery of the town set in motion.

Among the first duties undertaken by the Board of Trustees was the fixing of salaries to be given its *employés*. On May 21, 1872, it was ordered that the emoluments of the Town Treasurer should be five hundred dollars per annum, and one per cent. of all moneys collected by him on account of taxes, licenses, and street assessments, so long as the sum did not exceed one thousand dollars a year. The salary of the Assessor was fixed at six hundred dollars per year; that of the Clerk at twenty dollars per month, and that of the Street Superintendent at thirty dollars per month, but these rates were changed, however, on November 12th, so far as regarded the Treasurer and the Clerk, the former of whom was to receive seventy-five and the latter forty dollars *per mensem*, but, on October 14, 1873, the Clerk was only allowed thirty-five dollars a month and was called upon to perform the duties of Clerk to the Board of Education besides his other functions. May 21, 1872, W. H. Porter was appointed Town Clerk, and on the same date a petition was received from James Riddell and H. F. Shephardson, praying for the macadamizing of Euclid Street, which was referred to Mr. Mastick, and on June 4th, the work ordered to be performed. On the 28th of this month E. Minor Smith was appointed Superintendent of Streets; there being also passed on the same date an ordinance levying a poll-tax of two dollars on each male inhabitant over twenty-one and under sixty years of age, and ordered to take effect immediately. By the Treasurer's report the state of the town finances on July 1st showed a balance in hand of six hundred and twelve dollars and sixty-six cents.

As early as July 2, 1872, the subject of water for town purposes occupied official attention. On that date Mr. Robinson presented a resolution which was adopted, "That the Committee on Ordinance and Judiciary be authorized and requested to purchase a lot on Central Avenue, near Park Street, or, on Park Street, near Central Avenue, at a price not to exceed eight hundred dollars, and of dimensions not less than fifty by one hundred and fifty feet, and, that immediately after such purchase the Committee be authorized to contract for the boring of an artesian well upon said lot to a depth not exceeding one hundred and eighty-five feet, and to erect a box-tank of ten thousand gallons capacity, and to provide the necessary machinery for raising the water." Difficulties, however, were experienced in gaining water at this point, therefore on July 23d the same Committee were authorized to lease a suitable lot on Central Avenue, between Euclid Street and West End Avenue, where a well was to be sunk, or a reservoir for salt water built, and the proper machinery erected so that water might be procured for the purposes of street sprinkling. In the year 1876, however, B. R. Norton, in

boring a well at his place at the corner of Grand Street and Railroad Avenue, found such an abundant supply of water that he at once conceived the idea of laying pipes throughout the town, and supplying the inhabitants from this source. He at once placed himself in communication with the Board of Trustees, and on June 6th entered into a contract to supply the town with water for a period of five years, for one hundred dollars per month, the quantity to be so supplied being, "all the water that two sprinkling-carts holding six hundred gallons each, and each drawn by two horses and working ten hours a day, can distribute during the dry season." A company was formed, of which he was the principal stockholder and manager, which, August 22, 1876, obtained a franchise from the town, and laid pipes on portions of the chief thoroughfares. But the town had made such rapid growth that this company was unable, with its resources, to lay pipes to properly supply the inhabitants, though the quality of the water was first-class, and until the year 1880 the company had sufficient for all who had connection with its mains. In the latter part of 1879, Captain R. R. Thompson commenced to bore wells on the old Farwell place, on High Street, to ascertain if a sufficient supply could be obtained to justify him in undertaking to construct a water-supply for the town. He obtained from four wells an abundance, and on April 6, 1880, obtained a franchise to lay down and maintain for fifty years pipes to supply the town with water. Since then work has been vigorously pushed on this great and costly enterprise, until at the present time a net-work of iron pipes extends throughout the length and breadth of Alameda, and pumping works have been erected capable of raising over a million gallons of water every twenty-four hours. The town has now the best supply of water of any place on the coast.

On July 30, 1872, all ordinances passed by the Board of Trustees were ordered to be printed in the *Alameda Encinal* which thus became the official organ of the town, and, August 13th, Mr. Robinson was elevated to the position of President of the Board on the retirement of Governor Haight, who was succeeded in the office of Trustee by Charles Wood. On September 24th a map of the streets drawn by Alfred Bannister was adopted, and October 7th, a tax of seventy-four cents on each one hundred dollars of taxable property was ordered to be levied. December 17th a communication was received by the Board of Trustees from J. W. McKee, agent for Hays and Caperton, and A. S. Barber, asking that the dedication of the following streets be accepted, and that they be recorded on the official map of the town, viz.: Continuation of Lincoln Avenue through the Hays and Caperton property to Versailles Avenue: Continuation of Santa Clara Avenue through the Hays and Caperton tract to Versailles Avenue: Continuation of Broadway through the Hays and Caperton tract from Central Avenue to Buena Vista Avenue.

1873.—Early in the year 1873, it had become necessary to devise means whereby the expenditure required for the improving and watering of streets and constructing sidewalks should be defrayed. To this end, on February 28th, it was ordered that the sum of ten thousand dollars should be borrowed from the Union Savings Bank of Oakland, and set apart especially for these purposes, and no other, under the head of "Street Fund." On May 6th we find that W. W. Chipman deeded to the town a strip of land sixty feet wide and four hundred and twelve feet four inches long to

complete the line of Santa Clara Avenue, while on the 20th of the same month a communication was received from Mary R. Fitch dedicating to the town, "all streets laid out and shown on the map of the 'Fitch and Sharon' tract, as per Stratton's survey, together with the extension of all streets running north and south to Atlantic Avenue," an offering which was duly accepted.

The municipal officers elected this year were, E. B. Mastick, Henry Robinson, Jabish Clement, Eppes Ellery, Alonzo Green, Board of Trustees; M. W. Peck *vice* Krauth, and F. Boehmer *vice* Hess, School Directors; Thomas A. Smith, Treasurer; E. Minor Smith, Assessor and Superintendent of Streets; W. H. Porter, Clerk.

On August 5, 1873, there being then in contemplation the extension of High Street, and the building a bridge to Bay Farm Island, Mr. Green, of the Board of Trustees, to whom was referred the affair, reported: "In the matter of bridging the slough in order to make a permanent landing at all times of tides, for the town of Alameda, I find the most practicable point to cross the slough is on Peach Street, where it will require a bridge one hundred and fifty feet long; the distance to build a road will be six hundred feet. I think parties interested will build the road and a wharf without expense to the town of Alameda as soon as a bridge is built." The report was received and the matter of building referred to a committee to prepare plans and specifications, who, August 12th, reported that it would be advisable to have the bridge built at the end of High Street, and submitted plans. Proposals to construct were thereupon called for, and on August 26th, six bids were received varying from that of A. Nelson for six hundred and twenty-five dollars to that of A. M. Burrell, three hundred and forty-four dollars. Meanwhile, however, delay occurred, and on February 3, 1874, all bids were ordered rejected and a special committee appointed to report—some being anxious that the bridge should be from Peach rather than from High Street; the first, however, being chosen at a meeting held on the 10th. This brought forth further opposition. A petition numerously signed by citizens was presented to the Trustees urging the building of the bridge at the foot of High Street, while Bray and others offered to defray the expense of construction, in part, should it be placed there. This apparently had no influence, however, for the bid of Charles H. Foster was accepted to build the bridge at Peach Street.

November 4, 1873, O. W. Briggs was appointed to succeed Mr. Porter in the office of Town Clerk, and, thus we wind up the official duties of the year.

Of the matters of general interest which occurred in the year 1873, we find that the Episcopal church was dedicated by Bishop Kip on the 21st September, and on the 28th of the following month, Justice of the Peace, Milton Combs, was called upon to cross the dark river. Of this public official the *Encinal* of November 1st, says: "For more than a year past this community has known of the invalid condition and has taken note of the gradual passing away of Justice Combs, and yet all felt startled when the news spread through the town on Tuesday evening that he was dead. The awful fact could scarcely be realized. Occasionally, during the past few months, he would appear on Park Street for an hour or so, when the weather was warm and pleasant, and at times he and his friends indulged the hope that he would soon be out among his fellow-men to fight the battle of life. It was a mistaken idea. Death had marked him long ago, and, like a skillful angler, was only toying with him until he



Phineas F. Marston

had worn him out, and he could be brought into his fold an easy prey. He died from sheer enervation; there was not enough strength in his system to sustain him even after he had been freed from disease. Worn out; and death came to him as a great benefactor. During his long sickness he never lacked sympathizing friends who cheered him with their presence even to the last moments of his life and then forsook him not. Milton Combs at the time of his death had resided in Alameda a trifle over four years. He came here with his family—a wife and two children—from Brooklyn, Nevada County, where, for some years, he had served as a public officer and engaged in mercantile pursuits. He had amassed considerable wealth, in company with a relative, Justice McGowan, but, unfortunately, could not retain it. The town, like most mining towns, fell into decay, and gradually, day by day, their hard-earned hoard decreased, until at length they, with others, were compelled to close up business. Both were honest men. They paid out their last dollar and trusted in Providence for the next. Mr. Combs tried to live in San Francisco, but the bleak winds and close confinement to business drove him from that side of the bay to this. Here he engaged in the saddlery business without capital and not in robust health. Gradually, disease told upon him and he could not give that attention to his affairs that was necessary to make them successful. After a while he was solicited to accept the position of Justice of the Peace for Alameda Township. He consented, and has held the office for two years. Latterly he has tried cases while lying upon his bed of sickness. The people found in him an excellent officer and were determined to keep him as long as his life lasted. He was just in the prime of life, only forty-two years of age."

The "Fell Reaper" gathered into his fold on this year another gentleman, who, perhaps more than any other, is identified with the history of Alameda Township. W. W. Chipman, who died November 16, 1873, was a remarkably active man; always immersed in land matters, as well for himself as his clients. He literally died in harness. Years ago, when the Encinal de San Antonio was a wilderness, Chipman and Aughinbaugh—then both men of means and indomitable energy—bought the greater portion of the town and started gigantic improvements—roads, wharves, dykes, and bridges—which, had they been completed, would have made Alameda famous years before. Too sanguine of ultimate and speedy success, and consequent fortune, these pioneers worked up all their own means and then commenced to borrow on their landed interests. This was in the days when money commanded four and five per cent. a month. Ere they could realize their fondly cherished wishes, disaster came in the shape of foreclosures and they soon found themselves reduced from landed millionaires to possessors of a few paltry acres. The late Charles Minturn became the purchaser of his large tracts about this time, which he held almost intact until the day of his death. Now they are passing, or have passed, into other people's possession, by foreclosures of mortgages made by him in the early days of their purchase, and upon which he had been paying heavy rates of interest for many long years—always hoping, even against hope, for a rise in value which would clear them of their incumbrances. Had he lived a year longer in sound health, his hope might have been brought into full fruition. Both these men—Minturn and Chipman—had wonderful confidence in the brilliant future of Alameda, where both hoped to retire upon a footing independent of the world and its vicissitudes. Alas for human foresight and

human calculation—the riches of both men are to-day embraced in a few feet of land in the charnel-house of the Quiet City!

1874—On January 6, 1874, certain amendments to the Town Charter were directed by the Board of Trustees to be sent to the Alameda delegation of the Legislature with the request that they be passed, while on the 31st these amendments were discussed in mass-meeting assembled.

In the year 1871, a highway was opened from the peninsula to the main-land by way of Webster Street. On March 17, 1874, a resolution was introduced and adopted requesting the Board of Supervisors to take such action as would be necessary to secure the enactment of a law giving said Board full control of the bridge and roadway, the President of the Board of Trustees being requested to secure the co-operation of the Council of the city of Oakland to that end. To this the latter body would appear to have objected, for we find the Alameda Trustees passed, May 11, 1875, the following:—

Resolved, That the copy of a resolution purporting to have been passed by the Common Council of the city of Oakland, and certified by H. Hillebrand, City Clerk, May 10, 1875, be returned by the Clerk of this Board to the said Common Council, and that this Board regards the threat embodied in, and the style of, the resolution as uncalled for and unbecoming the city of Oakland.

Accordingly the original resolution was duly returned to the civic dignitaries of Oakland, the intention of which was the repair of the bridge and the willingness of Alameda to defray one-half of the expense. The bridge was subsequently repaired as intended in the first instance. Again, in 1877, the Webster-street Bridge was declared in an unsafe condition by the Oakland Common Council, and the co-operation of the Board of Trustees of the town of Alameda requested. On August 28th the latter body appointed a committee to inspect, who reported that an outlay of one thousand five hundred dollars would be necessary, upon which the following motion was carried:—

Resolved, That the Clerk be and he is hereby instructed to inform the City Council of the city of Oakland that this Board appreciates the necessity of repairing the Webster-street Bridge, but that there is no money in the town treasury which can be applied to that purpose; and that the Charter of the town prohibits this Board from contracting any debt against the town except there be money in the treasury to pay the same.

It may be mentioned that up to the year 1871 the only wagon outlet from Alameda was by way of Park Street to Brooklyn (East Oakland), or by High Street to the county road. During that year an Act was passed by the Legislature authorizing the issuing of bonds to obtain money to construct a bridge over San Antonio Creek, and a roadway across the marsh to connect with Webster Street. This road opened up a route that has done much for the town. There is now an enormous travel over it, and it is the shortest and most direct thoroughfare from Alameda to Oakland.

On April 10, 1874, the President of the Board of Trustees having called Mr. Ellery to the chair, announced the death of Jabish Clement, Esq., late one of the Board, and paid an appreciative and impressive tribute to his memory, finishing his address by offering the following resolutions, which were unanimously adopted, and speak for the high character of the man:—

Resolved, That we have received intelligence of the sudden and premature death of Jabish Clement, a worthy member of this Board, with feelings of profound regret for ourselves and of heartfelt sorrow for the stricken family of the deceased.

Resolved, That the deceased, in all the relations of life, sustained a reputation, blameless and irreproachable, and that in his death this Board has lost one of its most able, industrious, and influential members; the town, one of its most useful and public-spirited citizens; the Bar an honorable, worthy, and most promising member; and his family a considerate and devoted husband and father.

Resolved, That we extend to the family of the deceased our warmest sympathy in this dark hour of their bereavement, and counsel them to take consolation in the reflection that a blameless life must have secured a blissful future.

Resolved, That these resolutions be spread upon the records of this Board and that the Clerk transmit a copy of them to the family of the deceased.

In regard to the officials of the town themselves, we find that Mr. Mastick resigned his seat at the Board of Trustees on February 24, 1874, and was succeeded by Nathaniel Page, while at the election of May 5th the following result was attained: Henry Robinson, E. B. Mastick, Alonzo Green, Eppes Ellery, William H. Wenck, Board of Trustees; H. H. Haight, Cyrus Wilson, School Directors; Thomas A. Smith, Treasurer; E. Minor Smith, Assessor and Superintendent of Streets; and, June 11th, John Ellsworth to be Clerk *vice* Briggs, who, in turn, was succeeded by Lyttleton Price in that office on September 29th.

On October 5th the tax levy was fixed for the year 1874-1875 as under:

General Fund.....	25 cents on the \$100
Street Sprinkling Fund.....	05 " "
School Bond Interest Fund.....	05 " "
School Fund.....	25 " "
<hr/>	
Total	60 cents on the \$100.

In 1874 the Board of Trustees built a great many sidewalks in the town. To some it appeared to be an unnecessary outlay, but the wisdom of the act became apparent, as the town settled up rapidly, and the sidewalks that in some cases had been constructed in front of vacant property very soon were trod by newly acquired inhabitants. Of the streets, Central and Pacific Avenues were the only thoroughfares for many years that were improved. They, however, were pleasant drives, and the bulk of the travel passed over them; but in 1874 streets were to be found in every quarter bearing names to suit the tastes of the original owners of the property, but which the Trustees periodically changed to those considered more appropriate; thus, on May 5th of this year, we find them ordering the fishy cognomens of Dolphin, Pike, Salmon, with front streets to be altered to Minturn, Union, Lafayette, and Schiller Streets.

1875.—It was resolved on March 9, 1875, by the Town Trustees:

"That habitual intemperance on the part of any *employee* of this Board shall be deemed sufficient cause for dismissal. Drinking of intoxicating liquors, 'treating' or being 'treated' at any bar or saloon by any policeman, regular or special, while on duty, shall be deemed sufficient cause for removal from office."

And April 6th, an ordinance ordering all public houses to be closed between midnight and 5 A. M. was passed.

The officers elected for the year 1875-76 were: Henry Robinson, E. B. Mastick, William H. Wenck, Eppes Ellery, Alonzo Green, Board of Trustees; J. W. Clark, C. G. Mead, School Directors; Thomas A. Smith, Treasurer; E. Minor Smith, Assessor and Superintendent of Streets; Lyttleton Price, Clerk.

On September 7, 1875, a franchise was granted to Litledale and Goldthwaite to erect a wharf at the foot of Peach Street, for a term of fifteen years, the Board of Trustees reserving the right to regulate tolls and charges; while, on the 4th October, the name of Euclid Street was changed to Webster Street, that which it now bears.

The taxes fixed to be levied for the year 1875-76 were announced October 4th, and are as follows:—

General Fund.....	14 cents on the \$100
Street Sprinkling Fund.....	10 " "
School Bond Interest Fund.....	06 " "
School Fund.....	25 " "
Total	55 cents on the \$100.

It may be interesting to note that on the 20th March of this year the first car of the Alameda, Oakland, and Piedmont Railroad was received in the town and placed on the track; and, that in the month of June the Alameda Harmonic Society was inaugurated, and the following named officers elected, who were empowered to make arrangements for the selection and purchase of suitable grounds on which to erect a Music Hall, viz., Adolph Mayrisch, President; Dr. Eichler, Vice-President; C. Volberg, Secretary; Fritz Boehmer, Treasurer; Mr. Kustel, Jr., Librarian; Messrs. W. H. Wenck, Conrad Liese, and William Holtz, Building Committee.

We close the chronicles of the year 1875 with the statement that the magnificent High School building was dedicated with appropriate ceremonies on the 30th October.

1876.—On May 22, 1876, James L. Bissell and his associates received the authorization of the Board of Trustees to lay gas-pipes throughout the town of Alameda; while in the matter of streets, an ordinance regulating the manner of laying sidewalks, and of what they should be composed, was passed. August 1st, it was unanimously resolved,

"That all streets in Alameda running easterly and westerly shall be a uniform width of not less than seventy-five feet, and those streets intersecting shall be a uniform width of not less than sixty feet. That every street opened hereafter shall be made to accord with the above-mentioned proportions, and that the streets already opened be altered, where necessary, to suit said measurements, as rapidly as considerations of equity and justice will allow."

All of which was proceeded with without delay. On December 26th, E. H. Miller presented to the Board a deed dedicating to the town of Alameda, for public use as streets, highways, and avenues, all those parcels of land in said town designated as thoroughfares on a map of Oak Park, Encinal of Alameda, Alameda County, California, 1876, as recorded in the County Recorder's office in Book Number One of maps.

Up to the year 1876, it would appear that the town had been without any regular fire organization. On September 26th, however, the enrollment of a Fire Company was reported to the Board of Trustees, and its willingness to take charge of any apparatus which the town might intrust to it. The tender was duly accepted, and on January 6, 1877, the purchase of a lot on Webster Street whereon to build an engine-house was authorized, while, on April 11th, hydrants were reported ready for use (the first in the town) at the corners of Bay Street and Central Avenue, Bay Street and

Pacific Avenue, Grand Street and Central Avenue, and Grand Street and Pacific Avenue. On December 9, 1879, the purchase of a bell, one thousand pounds weight, was ordered, but it was not until October 19, 1880, that the Fire Department of Alameda was created. At this time the town was divided into two Fire Districts: the portion lying east of the center line of Grand Street being constituted District Number One, and that part of the town lying west of said line, District Number Two. On November 16th, Citizen Hook and Ladder Company, No. 1; Thompson Hose Company, No. 1; and West End Engine Company, No. 2, were admitted into the Department; and, on December 7th, arrangements were entered into with Captain R. R. Thompson to furnish all the water for fire purposes and for flushing sewers, and to give the use of his pressure-engine for all fire purposes for two dollars and fifty cents per month for each fire-hydrant, commencing from December 1, 1880, while he was in addition to establish a telephone line from Encinal Station to Webster Street. June 21, 1881, Whidden Hose Company, No. 2 (late West End Engine Company, No. 1); Central Hose Company, No. 3, and Pacific Hose Company, No. 4, were admitted into the Department.

Among the general events occurring in the year 1876 we may note the establishment of the post-office at West End under the management of J. W. Clark, the official name being Encinal; and the establishment on April 1st of the Alameda Loan and Building Association with a capital stock of one million dollars divided into five thousand shares of two hundred dollars each, the directors being, F. Boehmer, P. W. Barton, J. H. Hardman, D. L. Munson, H. A. W. Nahl, A. Newberg, Denis Straub, A. Schroeder and A. Volberg; and the incorporation in the month of December of the Alameda Water Company, for a term of fifty years, capital stock one hundred thousand dollars divided into ten thousand shares of ten dollars each, the Directors being B. R. Norton, O. J. Preston, C. D. Wheat, F. Boehmer, and Theodore Bradley.

1877.—In the year 1877 the sewerage of the town was commenced, the first mention of such in the records being on February 6th, when certain property-owners petitioned for a vitrified iron-stone pipe-sewer in Park Street, on which, March 6th, a general sewer ordinance was passed. There is now a splendid system of sewerage throughout the town, the chief drains being in Oak, Walnut, Chestnut, Union, Grand and Webster Streets, together with others in Alameda, Central, Santa Clara, Railroad and Pacific Avenues. On February 20th a franchise was granted to Theodore Meetz, Louis Fassking, Thad. S. Fitch, and their associates to lay and maintain an iron railroad, the line to commence on Park Street, at the southerly line of Railroad Avenue; running thence southwesterly along Park Street to Central Avenue; thence running into and along Central Avenue and Harrison Street southeasterly to High Street; thence running into and along High Street, southeasterly to the town line.

In the year 1877 the matter of building a Town Hall was first mooted, and on the 20th of that month Messrs. Barton and Mastick were appointed a committee to report a plan for the erection of such, who, April 17th, reported favorably on the plan submitted by Mr. Foster, when, the Clerk was directed to advertise for plans and specifications for erecting the building as well as an engine-house, the cost not to exceed two thousand eight hundred dollars. June 12th Mr. Foster entered into a contract,

under bond amounting to two thousand dollars, to complete the erection, but, at a reduced price of twenty-six hundred and forty-nine dollars, after which the construction was proceeded with and the building eventually occupied.

The next event in chronological order in the year 1877, is the commencement of the narrow-gauge railroad. On April 24th the right was granted to the "South Coast Pacific Railroad" to construct, maintain, and operate, and to transport passengers and freight thereon, upon and through any of the avenues and streets running about east and west, and situated south of the northerly line of Encinal Avenue, supposing such line extended from the present termini of said Encinal Avenue, both east and west, to the boundary lines of the town of Alameda; provided, that said railroad shall not cross Central Avenue at any point. The term for which the franchise was conceded is twenty-five years; while the privilege to use horse, steam, or any other power was granted. This ordinance was passed by the following vote, viz.: Ayes—Messrs. Robinson, Mastick, Wenck, Barton, and Simpson. Noes—None. On the 4th of May it was unanimously adopted that wherever in the ordinance the name "South Coast Pacific Railroad" occurs the words "Bay and Coast Railroad Company, a corporation duly incorporated under the laws of the State of California" should be substituted, while it was on the same date made obligatory on the company to commence work upon the line within six months and to expend upon that part of it within the town limits a sum not less than twenty thousand dollars, and that the whole should be completed within one year, under pain of forfeiture of the franchise. The original ordinance, however, was amended in its first section on July 17th, and made to read, "The right is hereby granted to the Bay and Coast Railroad Company, a company duly incorporated under the laws of the State of California, and its successors and assigns to use for the purpose of constructing, maintaining and operating a railroad in the streets, alleys, highways, parks, places, lands, and waters south of the following line, to wit: Commencing at a line where the northerly line of Encinal Avenue projected easterly would intersect the easterly boundary of the town of Alameda; running thence westerly in a straight line to the westerly end of the said northerly line of Encinal Avenue and Saint George Street; thence along the northerly line of Central Avenue to West End Avenue, and west of the following line, to wit: a straight line projected along the easterly line of West End Avenue, northerly and southerly to the boundary lines of said town of Alameda; provided, that said railroad shall not cross the northerly line of Central Avenue." These boons granted, it was found necessary to make further concessions in order that Alameda should be put in direct communication with San Francisco, therefore, under date November 17, 1877, the Board of Trustees passed the following preambles and resolutions:—

"WHEREAS, Means of direct and speedy communication between the town of Alameda and the city of San Francisco are of the utmost importance to the promotion of the interests and development of property in this town; and,

"WHEREAS, The facilities at present afforded by the Central Pacific Railroad are circuitous and insufficient; and,

"WHEREAS, The Bay and Coast Railroad Company propose to insure such means of ready and direct com-

munication, and to that end has already expended large sums of money without subsidy or contribution from State, county, or town; therefore be it

"Resolved, That it is the sense of this Board that said Bay and Coast Railroad Company is a great public necessity for the town and its inhabitants, and that it is the interest and the duty of this board to co-operate in promoting its completion as speedily as possible, thereby insuring speedy and cheap transportation and greatly increasing the taxable property of the town."

Thus the Trustees having taken the company under their sheltering ægis, made further grants and gave increased privileges for wharves, slips, etc., and by their protection did much towards bringing the narrow-gauge line to its completion, a franchise being granted to them, April 6, 1880, with the privilege of crossing Webster-street Bridge, upon consideration that they "continue to transport passengers between Alameda and San Francisco by a direct route without crossing San Antonio Creek into Oakland," and that they should make at least twelve trips a day each way, provided also that they should construct a high and close partition throughout the whole length of the bridge, so as to separate their track from that of the carriage roadway.

From the foregoing remarks gathered from the records of the Board of Trustees it will be seen that a franchise was granted to what is now known as the South Pacific Coast Railroad Company, in 1877. The scheme, however, met with strenuous opposition from a number of citizens, but the events which have accrued by the concession are almost incalculable. The whole southern and middle portions of the Encinal received a boom, and a great many fine residences were erected mainly because the new road offered direct and rapid transit to the city.

At the election held May 1, 1877, the following town officers were chosen: Henry Robinson, J. M. Gray, Alonzo Green, Conrad Liese, Charles Volberg, Board of Trustees; Cyrus Wilson, J. D. Sweet, School Directors; N. W. Palmer, Treasurer; E. Minor Smith, Assessor and Superintendent of Streets; and on May 15th John Ellsworth was elected Clerk, and Town Attorney as well.

During the month of September, 1877, the American District Telegraph Company of Alameda filed articles of incorporation with the County Clerk, which stated their place of business to be the town of Alameda, and the existence of the association fifty years. Capital stock, fifty thousand dollars, divided into two thousand shares of twenty-five dollars each, and the directors P. W. Barton, Alfred Bannister, Charles H. Ham, James M. Gray, and A. Newberg; the right to erect and maintain telegraph lines within the corporate limits of the town was given to them on October 16th, being granted to them by the Board of Trustees for fifteen years.

The following changes in the names of streets was ordered by ordinance, November 27, 1877: Webster Street in Old Alameda to Fillmore Street; Park Street in Old Alameda to Post Street; Washington Avenue to Harrison Avenue; Central Street to Austin Street; Eagle Street to Eagle Avenue; Oak Street at the West End of town to Hazel Street; Pine Street at Woodstock to Cypress Street; Willow Street at Woodstock to Maple Street; Bay Street at Woodstock to Bryant Street; Lincoln Avenue in the Fitch Tract to Clinton Avenue; Bay Avenue to Dayton Avenue; St. Mary's Street to Stanton Street; St. Paul Street to Morton Street; St. John Street to Benton Street; St. George Street to Sherman Street; Manzanita Street to Bush Street.

On October 1st the rate of taxation for the year 1877-78 was fixed as under:

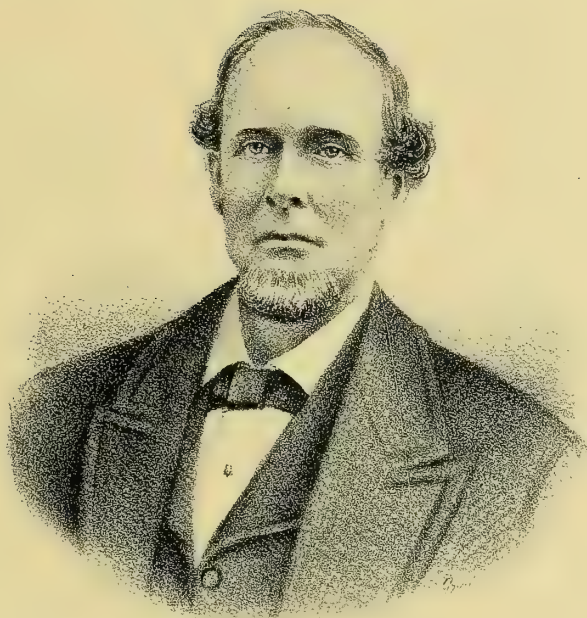
General Fund.....	18 cents on the \$100
School Bond Interest Fund	07 " "
Street Sprinkling Fund.....	10 " "
School Fund.....	25 " "

Total 60 cents on the \$100.

In the *Encinal* of January 6, 1877, we find that the old "pavilion," famous in the "flush" days when Charles Minturn ran a steamer to Old Alameda Point, and crowds of people came across the Bay to enjoy the rural beauties of the peninsula's sylvan glades, was burned to the ground on Monday morning; while, on the 14th of the same month, the new Methodist Episcopal Church was dedicated by Rev. Dr. Jewell. On February 10th the rails of the Alameda, Oakland, and Piedmont Railroad were laid as far as Park Street, while there were then ready three new cars to put upon the road. The last item of interest in the year 1877 is the initial trip of the South Pacific Coast Railroad, in the shape of an excursion which took place on December 2d.

1878.—The year 1878 had hardly been ushered into existence than the residents of Alameda were called upon to mourn the untimely demise of one of its most zealous and prominent citizens.

In a biographical sketch of the deceased gentleman, published in 1871, we find the Honorable Nathan Porter described as essentially a self-made man. Born in Massachusetts, he studied law in Providence, Rhode Island, where he was first admitted to the Bar, and immediately acquired a good practice. His genius for oratory—which had before in the lecture-room and on the stump developed itself—and sound judgment and a well-known application to business gave evidence of a brilliant future in his profession. Those who have witnessed his efforts at the Bar in California will not be surprised to learn that his remarkable command of language, united with his other acquirements, gave him early the most flattering success. Indeed it is by no means certain, masterly as his latest efforts at the Bar had been, that they were superior to some of those of his earliest. The following circumstance of one of his earliest triumphs is thus related: Soon after his admission to the Bar, Mr. Porter was called upon to defend a young girl of fourteen, upon an indictment for murder. The case attracted great attention at the time, and the evidence of her guilt appeared to be too conclusive to allow of any hope for her acquittal. The defendant had, for a year or more, been a "spiritual medium," and it was at a time when this subject first attracted public attention. During this period the wonderful developments or manifestations at her "sittings" were the subject of general comment and speculation. At one particular *séance* she predicted that two infant children belonging to her own family would die at a stated period. The public watched with fearful interest the result of her fatal prediction, and when the time arrived were horrified that it was in part fulfilled. Both of the children were suddenly taken ill, and one of them died. An investigation disclosed the fact that they had been poisoned with arsenic and upon this disclosure a confession, made, as Mr. Porter thought, by undue and unlawful urging and promises on the part of officials and others, was extorted from the girl of having administered the poison. She was indicted for murder, the penalty was death.



Leonard Stone

The defense in this remarkable case furnished Mr. Porter with his first opportunity to make a good effort and well did he improve it. The trial attracted unusual public interest; the youth of the prisoner; the mystery of her spiritual manifestations; the confession of her guilt and all the surrounding circumstances, gave it unusual interest, while her conviction, in view of the facts, was regarded as certain. The young lawyer had taken upon himself a responsibility which many an older head in the profession would have hesitated to assume, but he felt satisfied that the confession was an extorted one (which the law does not permit), and if true, that her young mind had been warped by the constant excitement to which it had been so long subjected, and that she was not accountable to the law for the act. With a full realization of the importance of his trust, and determined that a human life should not be improperly sacrificed, he gave his whole energies to the task, and nobly did he acquit himself. Although weary and exhausted by the labors of the trial, which lasted for many days, his closing address to the jury was pronounced as one of the most brilliant in the history of the Rhode Island Bar. During its delivery, the Court, composed of four elderly Judges, and the whole jury, were moved to tears, and among all the spectators, who filled the crowded court-room, there was scarcely a dry eye. The result of this masterly effort, to the surprise of all who were not present, was a prompt acquittal. The case immediately took rank among the *causes célèbres* of the State, and gave Mr. Porter fame and practice and a professional standing among the first advocates at the Bar.

Prior to embracing the law as his profession Mr. Porter had been engaged in mercantile pursuits, and his studies were prosecuted, as has been the case with so many men of mark in our country, while depending upon his labors for support. At this time we find him prominent as an orator in the lecture-room and on the stump; and that his abilities were recognized by the people who elected him for six consecutive years to serve in the Legislature—half of which time he was in the Senate, where he held the important position of Chairman of the Judiciary Committee, when it is considered that in the New England States at that time, the office always sought the man, not the man the office—the measure of the estimation in which he was held will be appreciated; and this application was still further shown by his subsequent nomination as the candidate of his party for the office of Attorney General. He was also at that time strongly urged to accept the nomination for Congress, but refused.

Mr. Porter came to California in 1854, and up to the time of his death was prominently identified with its progress and interests. He immediately took rank among the leading attorneys of San Francisco, and as a lawyer won for himself a State reputation. Studious in his habits, prompt in his business, entirely devoted to the interests of his clients, with a logical mind, ready language to give expression to his thoughts, a speech marked by taste and literary culture, he occupied a deservedly high position in his profession. In private life he was a man of exemplary habits, generous in his contributions to good works, and liberal in his views, according to every one his full rights, civil, political, and religious.

When the "People's Party" was in power in San Francisco, Mr. Porter was sought, and, after much urging by the committee of that party, consented to accept the nomination for District Attorney of the city and county. The result was his

triumphant election in 1860, and in every election thereafter until 1867, when he was no longer a candidate, and in that year the party was defeated. During all this time, when many were seeking the nomination, Mr. Porter never asked a renomination. On one occasion he was informed that the committee desired to hear from him as to his willingness to accept the office for another term, when he replied in these words: "If you deem it *for the best interests of the people* to renominate me, I shall deem your action an honor." He was renominated and re-elected by a handsome majority. His reply in this instance was characteristic of his whole political career. He believed not in personal claims to office, but rather that the public has claims upon the citizen for their services when required.

Mr. Porter took up his residence in Alameda in the year 1856, and was fully identified with the interests of the county as well as of the district and State. He was never, so to speak, a politician, yet in all great elections his services in the cause of good government, by his speeches and his influence, were felt throughout the State, and while entertaining decided convictions and a warm attachment for the Republican Party and its principles, had never been found taking an active part in caucus or convention, or been identified with any scheming class or clique. No candidate could be more available. Without enemies, and possessing unbounded popularity, with talents and experience, all things appeared to combine to point attention toward Mr. Porter.

From the first existence of California until the time of Mr. Porter's nomination, there had been no Congressman selected from the agricultural counties of what then formed the Second Congressional District. The mining counties had sent every member to Congress. In the mean time the agricultural counties had been growing in wealth and importance and increasing in population, therefore it was in them that the largest material interests should naturally center; thus it was that Mr. Porter was selected by his party to receive the nomination. While the greater portion of his fortune consisted in property near his home, where he was, in a measure, devoted to the farming interests, he also owned property in the mining districts, and made no little effort in its development. He was well known in some of the mining counties, where his voice had often been heard for the principles of the Republican Party, as in the valleys.

Speaking of his labors in the mining counties, an anecdote is told of him, which occurred in Calaveras. On one occasion, while sojourning in the vicinity of Moke-lumne Hill, he met two of the old style California politicians who were to hold a political meeting at the "Hill," and he accepted an invitation to be present. The night was warm and the audience large. The orators were unusually energetic in their exertions; the perspiration rolled down their faces, and it did not astonish the assemblage that the speakers every few minutes should swallow a tumblerful of what appeared to be *pure sparkling water*, until a large pitcher, full at the commencement, was nearly empty. During the evening Mr. Porter, who was well known at the "Hill," was recognized by the people present. At the conclusion of the efforts of the regular speakers, there was a general call for "Porter! Porter! Porter!" Mr. Porter mounted the rostrum, and in a few minutes was warmly engaged in delivering one of those telling, magnetic speeches, so characteristic of the man, and it was not long

before he, too, seemed thirsty, and sought the handle of the pitcher. Now, it was generally known that Mr. Porter never drank "liquor" of any kind, and had no more doubt that the transparent beverage, so freely partaken of by the gentleman who had preceded him, was what the color indicated—pure water—than had most of the audience; so he nervously turned out a tumblerful, and while the audience were engaged in a round of applause, Mr. Porter hastily took one deep swallow of the liquid, and his mouth was again full before he was aware that it was the strongest *Holland gin*. The sensation to him was strangling, the second mouthful he could not swallow, and to eject it in the face of his listeners he was too polite. For a moment he stood in the most comical indecision; his face grew purple, and the strangling sensation filled his eyes with tears. By this time the audience saw the joke, and the applause of an instant before was terminated in uproarious laughter and merriment. Judge Brockway, who then resided at Mokelumne Hill, was among the audience, and while he lived used to create great mirth by relating the anecdote. He always called it "Porter's Fiery Ordeal."

Mr. Porter was fearless for the right and could not be swayed from the path of duty to do a wrong; could not be used as a schemer or a trickster; was proof against bribery or corruption, by corporation, clique, or powerful influences; but was honestly devoted to the best interests of the State, and aimed to be in the truest and fullest sense her representative. With such noble attributes as those above enumerated, is it any wonder that the Trustees of the town in which he had so long resided, should have paid to his memory the following eloquent tribute:—

"*Resolved*, That this Board views with profound regret the dispensation of Providence which has so suddenly removed from this life our highly esteemed townsman, neighbor, friend, and representative, Senator Nathan Porter.

"*Resolved*, That the whole State suffers by this loss, the County of Alameda more than the State, and the town of Alameda much more than either. The State and county suffer the loss of an honest and able legislator, who was peculiarly qualified by experience and ability to forward their interests in the councils of the State. It falls to the lot of few men in this world to be able to serve their fellow-men so thoroughly and successfully as our friend has done since early manhood. But this town has singular reasons for profound sorrow at this sad stroke of Providence, not only for the loss of a useful and upright citizen, a kind and generous neighbor and friend, but also in the fact that as a representative he had at heart the best interests of the whole people of this town, and his great influence was already thus early in the session of the Legislature being exerted in their behalf.

"*Resolved*, That our warmest sympathy is extended to the afflicted family of the deceased, whose great sorrow finds some of its members prostrated by long-continued illness. We mourn with them in their sad bereavement.

"*Resolved*, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased, and spread them on the minutes."

On January 22, 1878, we find that a committee reported adversely in the matter of paying five hundred dollars to Thompson & West for a bird's-eye view of Alameda, to appear in their atlas of the county; while, on March 26th, a franchise was granted by the Board of Trustees to Thomas A. Smith, J. C. Tucker, G. W. Tyler, A. J. Tompkins, and W. B. Clement to lay and maintain a street railroad for a term of twenty-five years. The line intended to be so laid was from the southern or south-westerly extremity of Park Street, and running thence along its center to its northern or northeastern extremity, the fares not to exceed five cents and the rate of speed not more than eight miles an hour.

The officers elected on May 6th, to serve for the year 1878-79, were: B. F. Baker, Henry Mohns, W. B. Clement, J. B. Vosburg, G. N. Williams, Board of Trustees; A. B. Anderson, Edward Parrish, G. C. Hall, A. Mayrisch, C. H. Ham, John Barton, School Directors; E. Minor Smith, Assessor; I. N. Chapinan, Surveyor and Civil Engineer; John Ellsworth, Attorney; James Cook, Chief of Police; G. R. Bissell, Superintendent of Schools. On the 11th May John Ellsworth was chosen Clerk, and on August 20th, T. S. Moses was appointed a Trustee in the room of B. F. Baker, resigned.

From the report of the Treasurer, made May 14th, we find the state of the Town Finances to be as follows:

Dr. To School Fund.....	\$8,686 00	
General Fund.....	8,423 56	
		\$17,109 56
Cr. By Certificates of gold deposit in Bank.....	\$12,180 00	
" " silver " " 	3,522 33	
" Silver coin in safe.....	1,407 23	
		\$17,109 56

June 25th portions of Park Street, Pacific Avenue, Central Avenue, and Santa Clara Avenue were ordered to be lighted with gas for one year; while, on the 10th September, we find the following minute: "Mr. Williams introduced the following resolution, which was seconded by Mr. Mohns:—

Resolved, That the proposal of A. Borel, made through Messrs. Gilbert & Hunter, to sell to the town of Alameda, for the sum of five thousand two hundred and fifty dollars, cash, lots seven, eight, nine, ten, eleven, and twelve, in the west half of block D, in the town of Alameda, county of Alameda, State of California, as said lots and blocks are delineated and designated on the map entitled 'Map of Lands adjacent to the town of Encinal, Alameda County, California, surveyed by James T. Stratton, May 1, 1867,' filed for record in the office of the County Recorder of said Alameda County, May 28, 1867, be and the same is hereby accepted, and that said lots be purchased for said sum."

It was passed on the 17th September.

On the 28th February, a free reading-room and library was opened, with G. H. Stipp as librarian, in the Park Opera House, where it continued until handed over to the town authorities, the manner of accomplishing which was thus: On August 6, 1878, Doctors Gibbons and McLean addressed the Board of Trustees, stating that they, together with Mrs. A. P. Andrews, had been appointed by the directors of the Alameda Free Reading Room and Library Association a committee to wait upon the Board and inform it that the association desired to turn over its property to the town for the purpose of founding a Free Public Reading Room and Library, and requested the co-operation of the Board to that end, who appointed a committee of conference to prepare an ordinance for effecting such, which was, under the Act of the Legislature, passed March 18, 1878, entitled "An Act to establish and maintain free public libraries and reading-rooms," accepted, the Board electing to take possession on, or about January 1, 1879, and voting that the institution should be maintained by a tax of one mill on the dollar upon the assessed value of taxable property in the town. This was duly effected; on January 7, 1879, W. P. Gibbons, Mrs. Elizabeth Green, Thomas A. Smith, J. C. Tucker, and George Mastick were appointed trustees, and on February 28th the Alameda Free Library was opened for the circulation of books.

The taxes determined to be levied for the year 1878-79, were fixed as follows on October 7th:—

General Fund.....	30 cents on the \$100
School Fund.....	27 " "
Street Sprinkling Fund.....	10 " "
Bay Farm Island Road Fund.....	10 " "
Free Public Library Fund.....	05 " "
School Bond Interest Fund (Act of 1874).....	05 " "
School Bond Interest Fund (Act of 1878).....	03 " "
<hr/>	
90 cents on the \$100	

In the month of February, 1878, we find that the Park Opera House was opened. This building is described by the *Encinal* as the property of the Alameda Hall Association, the land upon which it is built, on the southeast corner of Buena Vista Avenue and Park Street, having been put into the fund by Thomas A. Smith at its market value for stock in the association, and is therefore part of its assets. The first trustees were: Cyrus Wilson, Dr. J. C. Tucker, George W. Tyler, Thomas A. Smith, and W. B. Clement. On the 7th September the Bank of Alameda opened its doors to business, with Levi Jenks as President, and J. E. Baker, Cashier. This institution changed its name to the First National Bank of Alameda in October, 1879; and on September 14th the new hall of Encinal Lodge, No. 164, I. O. O. F., was formally dedicated.

1879.—On February 11, 1879, a resolution was adopted by the Board of Trustees granting to the Alameda, Oakland, and Piedmont Railroad Company permission to construct an extension of their road across Santa Clara Avenue and along Webster Street to the northerly line of Central Avenue in a similar manner as the said road is constructed and then in use between Railroad Avenue and Santa Clara Avenue.

At the election held May 5, 1879, the following town officers were elected to serve for the year 1879-80: D. T. Sullivan, J. M. Gray, William Whidden, W. B. Clement, Joseph Lancaster, Board of Trustees; G. C. Hall, Adolph Mayrisch, School Directors; E. Minor Smith, Assessor; N. W. Palmer, Treasurer; I. N. Chapman, Surveyor and Civil Engineer; John Ellsworth, Attorney; James Cook, Chief of Police; O. S. Ingham, Superintendent of Schools. John Ellsworth was appointed Clerk on the 13th May; and on 30th December C. A. Edson was chosen a Trustee *vice* Clement, resigned.

The taxes fixed for the year 1879-80 were:—

General Fund.....	30 cents on the \$100
School Fund.....	26 " "
Street Sprinkling Fund.....	10 " "
Bay Farm Island Road Fund.....	02 " "
Free Public Library Fund.....	04 " "
School Bond Interest Fund of 1874.....	04 $\frac{1}{4}$ " "
School Bond Interest Fund of 1878.....	03 " "
<hr/>	
79 $\frac{1}{4}$ cents on the \$100	

On March 22, 1879, a new Baptist church was dedicated, the cost of the build-

ing being three thousand seven hundred and four dollars. On March 30th the Kohlmoos Hotel was opened, while on the 5th December the Royal Soap Factory, located near the shore line, between the narrow-gauge landing and Alameda Wharf, commenced active operations. The company was incorporated in May, 1878, with a capital stock of two million dollars, much of it being held by prominent capitalists of San Francisco, and a considerable amount by residents of Alameda. The building is three stories high, one hundred feet front and one hundred and seventy-two feet deep. This enterprise was opened under the management of A. W. Griswold, of Alameda, but it is for the present unoperated.

Under the caption "A Quadrupedal Romance," the *Encinal*, of October 18, 1879, has the following, with which we purpose closing our chronicles of that year: "For several years past a noble-looking, coal-black stallion has been the sole tenant of the block of well-wooded land, bounded by Railroad and Pacific Avenues, Grand and Minturn Streets, directly facing Fasking's Park. Citizens and strangers, on stopping at Encinal Station, have wondered, month in and month out, why an animal of such evident excellence should be perpetually shut up within the fence that surrounds this property. We feel that this common curiosity should be gratified. A recital of the whole story would fill several columns of our paper. Briefly, the tale may be told and the moral elucidated: An elderly gentleman—Mr. Brocken—was the owner of the horse for several years and prized him very highly. Once upon a time, being out at night, in a comparatively new country to him, he lost his way, and, but for the intelligence of his noble steed, would have perished. The horse intuitively appreciating the situation, finding himself free to follow his own instincts, boldly pushed forward in search of civilization. In his path lay a deep gorge, over which had been thrown a miserable apology for a foot-bridge. Across this bridge the intelligent animal literally felt his way, step by step, each advance reducing the chances of a retrograde movement, and, finally, with the sweat dripping from his flanks, with a mighty neigh he planted his feet squarely upon the solid earth and saved his master's life—for, just in front of them, through the deep darkness of the wood, a beacon-light was seen, and soon after horse and rider were carefully domiciled for the night. This noble act by one of 'man's unselfish friends' was never forgotten by Mr. Brocken. A few years ago the old gentleman died, and in his will was found an item providing that his black stallion should have a life-lease of the block of land described above; that he should do no more work, and that he should be carefully fed and groomed as long as he lived."

1880.—Up until the election of May 3, 1880, no item of importance is to be found in the records. On that occasion the following Town Officers were elected: H. B. Herbert, Joseph Lancaster, William Whidden, J. M. Gray, C. A. Edson, Board of Trustees; Henry Michael, John Barton, J. W. Mastick, Isaac Ayer, School Directors; E. Minor Smith, Assessor; N. W. Palmer, Treasurer; I. N. Chapman, Surveyor and Civil Engineer; John Ellsworth, Attorney; James Cook, Chief of Police; O. S. Ingham, Superintendent of Schools. On December 4th, F. K. Krauth, Jr., was elected Chief Engineer of the Fire Department; W. T. Valentine, Assistant Engineer of District Number One; C. Sturm, Assistant Engineer of District Number Two; and

on December 7th, Dr. W. P. Gibbons was chosen to be Health Officer, and Doctors W. L. Twichell, J. T. McLéan, and Alexander Jones, the Board of Health. The trustees of the Free Library for the year 1880-81 were, Mrs. A. B. Andrews, W. P. Gibbons, D. T. Sullivan, George K. Mastick, T. A. Smith.

Upon the retirement from office of the Board of Trustees last serving, the following resolution was unanimously adopted:—

WHEREAS, The retirement of our esteemed citizen, Daniel T. Sullivan, from the office of President of this Board, presents a suitable opportunity for expressing the esteem in which we hold him as a faithful and courteous public servant. Therefore be it

Resolved, That the thanks of the members of this Board are due to Daniel T. Sullivan for the able and impartial manner in which he has uniformly performed his public duties, and that we sincerely regret his retirement as a member of this Board.

On May 25, 1880, minors visiting saloons was declared to be a misdemeanor, while the same ordinance made it a punishable offence for those under age to loiter about railroad-depots, or jumping on and off cars when in motion. June 8th, the numbering of houses was ordered, twenty-five feet frontage being allowed for each building.

On July 27, 1880, a Board of Health was created to be composed of a health officer, who, together with the President of the Board of Trustees and one other person appointed by the Board, all except the President aforesaid to be licensed practising physicians; Dr. W. P. Gibbons and Dr. J. T. McLean being, August 30th, appointed Health Officer and member of the Board respectively. November 16th, the ordinance was amended to appoint "three other persons," instead of one.

The taxes fixed on October 4th for the year 1880-81, were as follows:—

General Fund.....	30	cents on the \$100
School Fund.....	17	" "
Street Sprinkling Fund.....	10	" "
Free Library and Reading-Room Fund.....	05	" "
School Bond Interest Fund of 1874.....	03½	" "
School Bond Interest Fund of 1878.....	02½	" "
Total		68 cents on the \$100.

In the year 1880 two lodges under the auspices of the Ancient Order of United Workmen were instituted, namely, Ashler Lodge, No. 165, and West End Lodge, No. 175, on March 24th and June 21st respectively. On May 4th the Long Branch Hotel was destroyed by fire, entailing the death of Miss Spaulding and a monetary loss of thirty thousand dollars to the proprietors, Messrs. Pearson & Co., and three thousand dollars to the keeper of the restaurant; while on July 3d, the corner-stone of the "Water-Tank Building," was laid with masonic honors and much ceremony.

1881.—On May 2, 1881, the following corporate officers were elected: W. G. Marcy, Joseph Lancaster, J. M. Gray, William Whidden, C. A. Edson, Board of Trustees; Henry Michaels, J. E. Baker, James Hunter, School Directors; E. Minor Smith, Assessor; N. W. Palmer, Treasurer; I. N. Chapman, Surveyor and Civil Engineer; John Ellsworth, Attorney and Clerk; James Cook, Chief of Police; O. S. Ingham, Superintendent of Schools; Mrs. A. B. Andrews, George H. Mastick, W. P. Gibbons, T. A. Smith, D. T. Sullivan, Trustees Free Library.

The apportionment for railroads of the county for the year, relating to the Town

of Alameda, by the Judiciary Committee of the Board of Supervisors, was: Number of miles, 6.08; rate per mile of road-bed, right of way, rolling stock, and franchise, \$2,500,000; total value in district, \$152,000, which was attempted to be reduced, but to no avail.

On July 19th the Clerk was directed to transmit to the Board of Supervisors the following preamble and resolutions:

"WHEREAS, The Alameda, Oakland, and Piedmont Railroad Company, on the 16th day of December, 1872, obtained a franchise by grant from the city of Oakland, by virtue of which the company was authorized to and did lay down rails upon the bridge across San Antonio Creek, and into and upon Webster Street, and maintained a railroad over the same, and said road extended from Park Street in Alameda to Broadway, Oakland, and has been operated for nearly nine years last past;

"That by reason of the substitution of a new bridge for the old one the rails were taken up with the expectation that they would be relaid, and said road operated and maintained; and

"WHEREAS, The Supervisors of this county now object to said rails being relaid, and to the railroad being maintained over said bridge; Therefore

"Resolved, That said Board of Supervisors be and hereby are respectfully and urgently requested not to object, but to consent to the said rails being relaid, and to the road being maintained over said bridge for the following reasons among others:

"First—The said railroad is a great public convenience and necessity, and the discontinuance of it in whole or in part would seriously inconvenience many of the citizens of Alameda and of Oakland.

"Second—The said railroad is one of the *three* prominent means of communication between the inhabitants of the city of Oakland and Alameda, and ought to be maintained and fostered.

"Third—The railroad company, in good faith, has invested in this railroad over thirty thousand dollars, and if not allowed to maintain the road across the bridge it would be greatly damaged to the extent of almost confiscation.

"Fourth—That the refusal of the Board to allow said road to be operated deprives the inhabitants of Oakland and Alameda of the cheapest means of communication, as fare on this road is five cents, while on each of the steam roads the fare is ten cents.

"Fifth—This road is the only direct route from Oakland to the Alameda Baths."

This demonstration, however, would not appear to have stricken the County Supervisors with terror, for they maintained their position, which still further brought the wrath of the Board of Trustees upon their devoted heads, as the following preamble and resolution, passed May 30, 1882, will testify:

"WHEREAS, In surrendering our Webster Street Bridge into the hands of the County Supervisors an abiding faith in their sense of justice made us secure in the belief that none of the uses and conveniences of that structure would be lost to the town of Alameda; and

"WHEREAS, In the subsequent action of this Board of Alameda Town Trustees, in granting a certain franchise to the South Pacific Coast Railroad Company, it was confidently believed that no rights or advantages would be lost to the town; Therefore be it

"Resolved, That a denial of the County Supervisors to the Alameda Horse Railroad of the privilege to cross the Webster Street Bridge is in violation of the spirit of these contracts and against the wishes and interests of the people of Alameda, and that these facts be fairly presented to the County Board of Supervisors, under the authority of this Board, with a respectful request that such action may be taken as will restore the service of the road."

Upon receipt of the news of the death of President Garfield the following resolutions were passed by the Board of Trustees, under date September 20, 1881:

"WHEREAS, It hath pleased Almighty God, our Heavenly Father, in His Infinite Wisdom and Divine Providence, to call home our late Chief Magistrate, James A. Garfield; Therefore be it

"Resolved, That we feel most deeply and sincerely the loss the people of the United States have sustained in his death; and that the bereaved widow, the fatherless children, and stricken mother have our heart-felt sympathy.

"*Resolved*, That in token of respect to his memory we request our fellow-citizens to drape their residences and places of business in mourning, and that all public business be suspended on the day appointed for his funeral."

On October 3d the taxes to be levied for the year 1881-82 were fixed as under:

General Fund.....	30	cents on the \$100.
School Fund.....	10	" "
Street Sprinkling Fund.....	08 $\frac{3}{4}$	" "
Free Library Fund.....	05	" "
School Bond Interest Fund of 1874.....	03 $\frac{1}{2}$	" "
School Bond Interest Fund of 1878.....	02 $\frac{3}{4}$	" "
		60 cents on the \$100

1882.—On January 14, 1882, there were elected: F. K. Krauth, Jr., Chief Engineer Fire Department; W. T. Valentine, Assistant Engineer, District Number One; and C. Sturm, Assistant Engineer, District Number Two. The regular corporation officers for the year 1882-83 were: William Simpson, J. M. Gray, C. A. Edson, William Whidden, Louis Meyer, Board of Trustees; H. V. Herbert, Adolph Mayrisch, School Directors; E. Minor Smith, Assessor; N. W. Palmer, Treasurer; I. N. Chapman, Surveyor and Civil Engineer; John Ellsworth, Attorney and Clerk; James Cook, Chief of Police; O. S. Ingham, Superintendent of Schools; Mrs. A. B. Andrews, W. P. Gibbons, George H. Mastick, D. T. Sullivan, T. A. Smith, Trustees Free Library.

Looking back over the history of the town of Alameda we see that it has made wonderful progress. From a cattle-ranch, over which there was a continual squatter war, it has come to be a town of over six thousand inhabitants, who are of the very best to be found anywhere. It has been sought as a place of residence for many reasons. It has a warm, genial climate, different from that of either Oakland or San Francisco. It has better communication with San Francisco than any other town about the bay, and yet, owing to its peculiar situation, does not catch so many peddlers, beggars, tramps, and other social abominations as towns which are on main-traveled railroads or thoroughfares. It has good schools, thrifty church societies, sewered streets, plenty of pure water, gas, and good police protection, and, above all, taxes are low, and the law protects the tax-payer from being plundered by the tax-eater. Under these circumstances the growth of Alameda has been of the most stable and satisfactory character. It has not gone ahead too fast at any time. Its progress has been at all times healthy and permanent, and owing to natural causes. Alameda is not a town of accident. Its settlement and prosperity are mainly due to the causes we have named, and its future is bright and promising for the same reasons.

SCHOOLS.—Having thus far carried our readers through a general history of the town-township of Alameda we will now consider the special subject of her schools, of which she is most properly proud. To the older residents of the town a running history of her public schools cannot fail to be interesting, while to the later-comers it will furnish a chain of evidence of the growth of her educational system from its germ to the proud position of the peer of any and the superior of most of the School Departments outside of the large cities of the State.

ALAMEDA SCHOOL DISTRICT.—The public school system in Alameda dates back to July 12, 1855, at which time C. C. Breyfogle, the first County Superintendent of Public Instruction, appointed James Millington, E. M. Taft, and James T. Stratton, Commissioners of Alameda School District. The Board organized July 16th and made arrangements for the purchase of a building and lot from A. Schermerhorn, for the munificent sum of one hundred and fifty dollars. On the 27th of the same month Mrs. A. S. Page was engaged to teach the school at a monthly salary of seventy-five dollars and board. This engagement continued until October 31st, when the pay was fixed at one hundred dollars, without board. July 21, 1859, W. W. Brier, County Superintendent, appointed as Trustees Messrs. C. L. Fitch, Jas. Millington, and Dr. Henry Gibbons, who, the majority favoring the appointment of a male teacher, engaged W. W. Holder, who occupied the position until January 9, 1860, when he was removed and M. A. Lynde substituted. Funds being low, it was found necessary, in order to pay the teacher's salary, to establish rates of tuition, as follows: Children under ten years of age, one dollar per month; under fourteen years, one dollar and fifty cents; over fourteen, two dollars. Mr. Lynde taught for one term, when he was removed, and Henry Gibbons, Jr., temporarily placed in charge. At this time Trustee Fitch gave notice of a petition to divide the district. June 22d, A. M. Crane, Nahum Poland, and Dr. H. Gibbons, were elected Trustees, and they continued Mr. Lynde as teacher. They also gave notice of an election to decide whether the tax-payers of the district were willing to be taxed two thousand dollars for the purpose of building a new school house. Thirty-three votes were cast at this election, of which thirteen were in favor of the tax and twenty against it. Not satisfied with the result, a second election was held, August 4, 1860, to levy a tax of eighteen hundred dollars. The result was twenty-eight votes—sixteen for, and twelve against the levy. The assessment-roll of the town at that time footed up one hundred thousand dollars, making the rate of taxation one dollar and eighty cents on each one hundred dollars. September 15th, A. M. Crane resigned, and S. A. Hastings was appointed Trustee in his stead. Rev. A. H. Myers offered to sell to the Trustees two lots in block ninety-two for sixty dollars, which offer was accepted and the property (now occupied by the Alameda school) purchased. June 10, 1861, A. S. Barber, Jas. Millington, and H. S. Barlow were duly elected Trustees, and qualified as such. This Board appeared to have differed from their predecessors, as they appointed as teacher, Miss Eliza Webb. Non-resident pupils were then charged two dollars per month. Under Miss Webb's care, the school was run until October 14th, when she retired, and Orlando T. Hopkins was placed in the position, which he filled up to November 10th, when a Mr. Dexter received the appointment. The School Marshal, N. W. Palmer, reported October 29th eighty-two children in the district. April 4, 1863, Jas. Millington, N. W. Palmer, and S. S. Saul were elected Trustees, and on the 11th of May they placed Miss S. S. Benedict in charge of the class. At the time fixed by law for the election of the next Board of Trustees no election was held and the County Superintendent appointed James Millington, N. W. Palmer, and M. S. Crane, who, January 13, 1864, deposed Miss Benedict and appointed Miss. E. St. John, who taught until December 12th, when she was removed and the Trustees elected Rev. J. A. Burlingame; they also formed a primary class, which was given in charge of Henry Burlingame. These

gentlemen were brothers of the late Hon. Anson Burlingame, well remembered as the author of the famous Chinese Treaty. On the 30th of the same month an election was held and a tax of two dollars and fifty cents on each one hundred dollars levied for school purposes, there being no opposition to the tax on this occasion. April 30th, the Board advertised in the *Alameda County Gazette*, published at San Leandro, for proposals to erect the new school-building. No satisfactory plans or bids being received, they adopted plans and specifications drawn by James Millington, and the contract for the building was awarded to Dr. H. Haile, for the sum of two thousand six hundred and twenty-six dollars. The old school-building was sold to H. S. Barlow for fifty dollars, and was moved away, and is a portion of the cottage now standing on Railroad Avenue, about two hundred feet east of Park Street, and formed originally the nucleus of the present Loyal Oak Hotel. The building was duly completed, and, in September 1864, was dedicated to school purposes with W. W. Holder as teacher. The ladies of the district joined in getting up a grand festival to raise funds to furnish the school-house, the receipts being, as returned by Mrs. J. N. Webster, Treasurer, three hundred and four dollars and fifty-five cents. Captain J. D. Farwell presented to the school a magnificent American flag, which floated over the building at the time of its dedication. Mr. Holder's tenure of office was but short, for, in February 1865, he gave way to W. M. McFadden, who held on till July 13, 1867, when Mr. Holder again came to the front, and all charges for tuition were abolished, the district being now able to pay the necessary expenses out of the public funds at their disposal.

Titles to property in those days were intricate, and in October, 1866, a payment of three hundred dollars is recorded to Prince Fisher to quiet title to a portion of the school property. May 23, 1867, F. Pancoast was elected to serve as Trustee three years; C. H. Haile two years, and James Millington one year. At this date the Census Marshal, James Millington, reported one hundred and ten children between the ages of five and fifteen years. December 28th, Mr. Holder again stepped out, and Mr. McFadden was reinstated. July 8, 1868, Asaph Cleveland was elected Trustee to succeed James Millington, term expired. A District School Library was inaugurated, and the teacher appointed librarian. July 18th, Mr. McFadden was again appointed Principal, and Miss Mary B. Robinson, Assistant, for the term ending December 20th. Mr. McFadden, School Marshal, reported one hundred and twenty-seven children between the ages of five and fifteen years. The new term of school commenced the first Monday in January, 1869, with a Mr. Adams *vice* McFadden, removed, as Principal, and Miss Mary E. Bannister, as assistant. December 12, 1869, an election was held to decide the question of levying a tax of nine hundred dollars to liquidate the District School debt and paint the school-house. Sixteen votes were cast in the affirmative and none in opposition. The assessment-roll at this time footed up three hundred and forty-one thousand four hundred and seventy-five dollars, making the rate thirty-seven cents on the one hundred dollars. Again it occurred that no election was held for Trustees, and the County Superintendent appointed Messrs. C. H. Haile, Asaph Cleveland, and S. A. Wood to serve for one year from July 1st. The new Board elected Miss Robinson as Principal, and Miss Bannister, assistant. July 2, 1870, Henry Robinson, F. Boehmer, and James Mil-

lington were appointed Trustees. School commenced August 1, 1870, with W. H. Mason as Principal, and Miss Robinson as Assistant. Mr. Mason failing to obtain a certificate from the County Board of Examination, was dismissed, and W. H. Granger substituted as Principal, October 1, 1870. School opened for a new term January 3, 1871, with same teachers, and closed March 1st. April 29th, Henry Robinson, Cyrus Wilson, and F. K. Krauth were elected for three, two, and one year respectively. Mr. C. Howe was appointed as Principal, and Miss Belle Glennon, assistant; term commenced May 15th. F. K. Krauth was appointed Census Marshal. September 23d, Mr. Howe resigned his position as Principal. J. W. Bones was awarded contract to build an additional class-room at a cost of nine hundred and seventy-five dollars. October 8th, W. W. Stone was elected Principal. November 18th, a special election was held to decide as to levying a tax of sixteen hundred dollars. Result—sixty-four votes for, and twelve against the tax. December 18th, Miss Matilda Lynch appointed to teach intermediate class just organized. With this action the Board closed its term, in accordance with the Act to incorporate the Town of Alameda.

ENCINAL SCHOOL DISTRICT.—Was segregated from Alameda District in 1860, and comprised that portion of Alameda Township lying west of Willow Street. Dr. Henry Gibbons, at that time County Superintendent of Schools, appointed C. L. Fitch, Louis Fassking, and J. D. Brower as Trustees, and they organized a school in an old "squatter's" cabin, twelve by twenty feet, on the Power's Tract (Railroad Avenue, near St. Mary Street) with Miss A. E. Powers as teacher, and nineteen scholars in attendance. Under Miss Power's management the school was carried on until 1865, when William Crowhurst was placed in charge. In 1865 the lot upon which the Encinal School House now stands, one hundred and fifty by three hundred feet, at the corner of Bay Street and Santa Clara Avenue, was by deed of gift conveyed by Mrs. Mary A. Fitch to the town for school purposes, and the main portion of the present building erected at a cost of about two thousand dollars. During the school year of 1866-67, Misses Susan W. Porter, Clara B. Porter, and S. Barker taught the class, and in 1867-68 Miss Flora Smith had charge. In 1869 an addition was made to the building at a cost of some sixteen hundred dollars, and at this time the total valuation of school property in the district was six thousand dollars. The school was then graded and Miss Clara B. Porter appointed Principal, with Miss S. A. Penwell as assistant. During the year 1870-71 no report was filed with the County Superintendent, but in 1871-72 we find A. J. Farley, Principal, and Miss Emma Frick, assistant. In May, 1872, the control of this district was vested in the Board of Education as provided for in the Charter of the town. The records of this district were lost in the fire that destroyed Mr. Fassking's house in 1874, and the foregoing general information is gleaned from annual reports of the Trustees to the County Superintendent.

UNDER THE INCORPORATION.—By authority of the Act of Incorporation of the Town of Alameda, the Board of School Directors elected under its provisions, met and organized May 20, 1872. The names of the Directors and terms of office were as follows: Dr. William P. Gibbons and William Holtz, elected to serve three years, Nathan Porter and Cyrus Wilson, two years, and Fred. Hess and F. K. Krauth one

year. Dr. Gibbons was elected President, and F. K. Krauth President *pro tem*. June 19th, W. H. Porter, Census Marshal, reported the number of children between the ages of five and fifteen years as 347—176 boys and 171 girls. June 26th, W. W. Stone, reappointed Principal of Alameda School, with Misses Tillie Lynch and Belle Glennon as assistants. Miss Fannie E. Bennett appointed Principal of Encinal School, and Miss Emma Frick assistant. The Board estimated that six thousand five hundred dollars would be required for school purposes for the ensuing year. February 6, 1873, Board reported amount required to be raised for school purposes for ensuing school year as eight thousand five hundred and fifty dollars. February 15th, W. W. Stone, Principal of Alameda School, resigned, and Mr. E. Rosseau was appointed to fill the vacancy. May 21st, M. W. Peck and F. Boehmer elected to serve as Directors for three years, took their seats, Messrs. Hess and Krauth retiring. Dr. W. P. Gibbons re-elected President, and Cyrus Wilson elected President *pro tem*. Director Nathan Porter resigned, and Geo. O. Smith, Jr., elected to fill vacancy. June 6th, Mr. J. Browne elected Principal of Alameda School. Miss Tillie L. Lynch first assistant and Mrs. H. R. Clinton second assistant. June 11th, Mrs. Fannie E. Bennett and Emma Frick retained as Principal and assistant of Encinal School. Report of W. H. Porter, Census Marshal, shows 405 children between the ages of five and fifteen years. July 30th, Mrs. H. R. Clinton, second assistant teacher of Alameda School, resigned. Miss Belle Glennon elected Principal of the primary department of Alameda School, with Miss Dita Hopkins as assistant. September 27th, Miss Glennon resigned, and J. Browne, Principal of Alameda School, leaves town and the school without notice to the Board. Miss Carrie Havens appointed substitute teacher in the Principal's department, and Mrs. Regina Maney in the primary department of said school, during the pleasure of the Board. January 14, 1874, Miss Dita Hopkins, of the Alameda School, was reported ill, and Miss Sarah D. Barry appointed as substitute. April 13th, teachers of Encinal School dismissed. May 6th, H. H. Haight and Cyrus Wilson took their places as members of the Board, Mr. Haight in place of Mr. Smith, term expired, and Mr. Wilson re-elected. Dr. Gibbons and Mr. Wilson re-elected President and President *pro tem*. June 3d, Miss Carrie Havens appointed Principal of Alameda School, and Miss Dora Barrett placed in charge of intermediate department, and Miss Frances Barrett of primary department. Miss Emma Frick elected teacher of primary and intermediate department of Encinal School. June 17th, a room was engaged in Boehmer's building, corner Park Street and Santa Clara Avenue, for High School purposes, and Mr. C. T. Johns elected Principal. Mr. E. L. Knowlton elected Principal of Encinal School. July 3d, Miss Emma Frick resigned her position in the Encinal School. F. K. Krauth, Census Marshal, reported 502 children between five and fifteen years of age. July 15th, Miss Cordelia Kirkland elected to fill vacancy occasioned by resignation of Miss Frick. August 26th, plans and specifications for a High School building advertised for. September 2d, Miss M. E. Wheeler was appointed to fill vacancy in Encinal School, and Mrs. Martha Rayle in Alameda School. October 23d, High School lot on Santa Clara Avenue, purchased at a cost of two thousand five hundred dollars. October 28th, lot purchased on Second Avenue, for Primary School purposes, one thousand two hundred dollars. January 20, 1875, Miss Annie Murphy appointed assistant teacher in

Encinal School, *vice* Miss Wheeler resigned. February 17, 1875, contract to erect High and Primary (West End) School buildings awarded to C. H. Foster. May 17, 1875, L. G. Mead and J. W. Clark presented certificates of election as members of the Board, *vice* Messrs. Gibbons and Holtz. H. H. Haight was elected President, and Cyrus Wilson re-elected President *pro tem*. June 2d, West End Primary School building finished and accepted. June 2d, the following named teachers were elected to positions in the department: C. T. Johns, Principal of High School; E. L. Knowlton, Principal Encinal School; Miss Cordelia Kirkland, Principal of West End School; Miss E. Powell, assistant in Encinal School. July 7th, C. L. Metzgar appointed Principal of Alameda School, with Mrs. Martha Rayle as first assistant, and Miss Frances C. Barrett second assistant; also, Miss Carrie Havens as assistant teacher of High School. October 13th, a new Primary School (the Park Street School) was organized, and Miss Sarah D. Barry elected teacher of the same. March 29, 1876, Mr. Theodore Bradley was elected Superintendent of Public Schools, at a salary of forty dollars per month. May 10th, Messrs. Adolph Mayrisc and B. F. Baker presented certificates of election and assumed the offices, Messrs. Boehmer and Peck retiring. Governor Haight and Cyrus Wilson were re-elected as President and President *pro tem* of the Board. Miss Kirkland resigned the position of teacher of West End Primary School, and Miss Frances C. Barrett was appointed in her stead. Mr. Theodore Bradley was elected as "visiting teacher" at a salary of sixty dollars a month. Miss Mary E. Wheeler was elected second assistant teacher in the Alameda School, and Miss E. Powell as assistant in Encinal School. June 21st, position of High School Principal declared vacant, and Mr. A. F. Craven elected to fill the vacancy. Miss Wheeler promoted to the position of first assistant of Alameda School, and Miss Lizzie Cheney appointed as second assistant. December 30th, John Ellsworth, Census Marshal, reports 783 children between the ages of five and fifteen years. January 13, 1877, Mrs. M. F. L'Hote was elected to succeed Mrs. Powell as assistant in Encinal School, and Miss Lulu Kervan placed in charge of West End Primary School. May 31st, J. D. Sweet presented his credentials, and took the place of H. H. Haight, term expired. Cyrus Wilson was elected President of the Board, and J. W. Clark President *pro tem*. Robert Kirk, Census Marshal, reported 980 children entitled to school privileges. July 21st, Theodore Sohlke was elected teacher of German in the High School. Miss Taney appointed teacher in the German Department of the High School. December 29th, Miss Sarah D. Barry resigned the position of teacher of the Park Street Primary School, and Miss Minnie G. Millington was appointed to fill the vacancy.

METHODIST EPISCOPAL CHURCH OF ALAMEDA.—This church was organized by Rev. James McGowan in his own house, the small congregation worshiping in a tent. In 1854 the Rev. William Taylor bought a lot situated at the corner of Mound and Jackson Streets of to-day, donated it to the society, and on it was erected a house of worship which was duly dedicated on the 24th May of that year. The first pastor by appointment of the Conference was the Rev. David Deal, who was succeeded by his brother, William Grave Deal, who gave place to Professor Edward Bannister, who served both as principal of the school and pastor of the church. As the years went

on the church was kept open, but it was getting pecuniarily involved, but in 1857 one of its members, Captain J. N. Webster, liquidated the debt to the amount of three thousand one hundred dollars, but this not putting it on a firm financial basis, its entire extinguishment was undertaken and carried out by Mr. and Mrs. John Gunn. With the coming of the railroad to the town a center of interest was created in the direction of Park Street; it was therefore thought expedient to remove the church to a more central location, which was duly effected during the pastorate of Rev. William Hulbert. As population increased the accommodation in the building became too confined for the size of the congregation; therefore under the *régime* of the Rev. Mr. Tower the erection of the present commodious church edifice was commenced, he having received subscriptions sufficient to cover costs. Financial pressure and many removals shrank the available donations to a small figure, in consequence of which a debt of two thousand dollars was left to encumber and paralyze the society. Rev. H. B. Heacock, who succeeded Mr. Tower, followed up the subscriptions with his accustomed energy, but they could not be collected. Under the pastorate of Rev. T. S. Dunn, the church had considerable prosperity but the debt remained unreduced. During the last Conference year it was liquidated in a quiet way by the generous contributions of friends within and without, and the society now needs only a parsonage to make it one of the most desirable charges, in all respects, in the State. Among the early members and staunch friends of the church we find the names of James McGowan and wife, John Gunn and wife, A. S. Barber and wife, Father and Mother Moses, Captain J. N. Webster—who served the church as chorister for twenty-one consecutive years, Mrs. David Deal, and Mrs. Bannister. A number of Presbyterians, among whom were the venerable Thomas Hopkins, Judge Hastings and wife, and others, having no services of their own, were for a number of years among the most liberal supporters of the church. The lot on which the edifice stands is situated at the corner of Park Street and Central Avenue, and was acquired mainly through the energy and address of Mrs. William Taylor and Mrs. John Gunn. For three years past the society has rented a parsonage contiguous to the church property.

The following has been the order in which the different pastors have served: James McGowan, local preacher, who organized the church; David Deal; William Grove Deal; Professor (afterwards doctor) Edward Bannister; A. Higby; William Gaffney; W. S. Umy; Charles Northrup; John Daniel (deceased); Charles Rich; William Hulbert; — Tower; H. B. Heacock; T. S. Dunn; and M. C. Briggs, the present incumbent.

FIRST PRESBYTERIAN CHURCH OF ALAMEDA.—This church was organized with twelve members on November 5, 1865, the society being incorporated, however, on the 25th September of the previous year, but services were held in the old Alameda school house as early as June 1864. The first regularly installed pastor was the Rev. Frank L. Nash, who, having previously supplied the church for a year, was inducted, April, 1867, and so continued until June 3, 1868. During his pastorate the church building was completed at a cost of eight thousand dollars, and dedicated March 8, 1868. The Revs. Graham, Webb, and Ijams supplied the pulpit for various periods lasting about three years, and in October, 1874, Rev. Rodney L. Tabor, the present

incumbent, came from the Eastern States to serve the church. The society has made extensive improvements in its church building, and built a commodious parsonage, while upon the property there is not a dollar of debt. The church membership actual and on the ground numbers ninety-one; there being an average attendance of one hundred and seventy at morning service and sixty in the evening. Connected with the church there is a flourishing Sabbath-school of one hundred and fifty members; three societies and a Ladies Aid Society, all in an excellent growing condition.

GARDEN CITY LODGE, NO. 1745, K. OF H.—This lodge was organized August 29, 1879, with the following charter members: W. H. Loomis, R. Wheeler, Thomas Collie, A. J. Bancroft, Texas Angel, H. A. Thompson, Jo. Lancaster, A. Anderson, I. B. Merritt, C. F. Carlson, L. Ford, H. A. Nahl, H. Koever, D. B. Taylor, A. Innis, James Cook. The first officers were: W. H. Loomis, Past Dictator; R. Wheeler, Dictator; Thomas Collie, Vice-Dictator; A. J. Bancroft, Assistant Dictator; Texas Angel, Reporter; H. A. Thompson, Finance Reporter; Jo. Lancaster, Treasurer; D. F. Coey, Chaplain; I. B. Merritt, Guide; A. Anderson, Guardian; C. F. Carlson, Sentinel; W. H. Loomis, Medical Examiner. The membership now is fifty-two, while the officers for the current term are: Jo. Lancaster, Past Dictator; Isaac Moore, Dictator; L. Wellendorf, Vice-Dictator; D. B. Taylor, Assistant Dictator; Henry Mohns, Finance Reporter; Hermann Ernst, Reporter; E. B. Renshaw, Treasurer; John Yablonsky, Guide; William Simpson, Chaplain; O. F. Westphal, Guardian; Ole Jensen, Sentinel. The lodge meets on the last Thursday of each month in Odd Fellows' Hall, Alameda and is in a flourishing condition.

WEST END LODGE, NO. 175, A. O. U. W.—This lodge was organized June 21, 1880, the following being the charter members: David Altvater, Charles Bochse, W. P. Byler, H. C. Ballheimer, J. C. Bruhns, A. T. Baker, J. B. Finley, L. S. Godfrey, P. F. Gochnauer, Ad. Hecker, Nels. Holm, Jacob Lenz, Louis Probst, Will. Ramm, Geo. O. Smith, Jr., John Quast, John Schomborg, Theo. Steinmetz, L. J. F. Schutenhaus, E. L. Knowlton, H. Traube, C. C. Volberg. The charter officers were: Sam. Orr, P. M. W.; Will. Holtz, M. W.; John Conrad, Foreman; Hermann Bremer, Jr., O.; H. McGoun, Recd.; Henry Gripp, Rec.; W. H. Moller, Guide; Geo. Relfe, I. W.; Fred. Benn, O. W. The lodge is in a flourishing condition, and is composed of forty-five members, the officers for the current year being, M. H. Hackett, P. M. W.; H. McGoun, M. W.; P. Z. Nauman, Foreman; Jacob Lenz, O.; H. C. Ballhermer, Recd.; Will. Holtz, Fin.; C. C. Volberg, Rec.; A. R. Denke, Guide; W. P. Byler, I. W.; John Schomborg, O. W. Meets every Monday evening at Holtz' Hall, West End, Alameda.

ALAMEDA COUNCIL, NO. 192, A. L. OF H.—This lodge was organized March 24, 1881, the following being the charter members: E. T. Barnes, A. Victors, E. J. Dodge, H. Kosminsky, I. Manheim, J. E. Baker, A. Cheminant, C. J. Moyes, C. F. Lewis, G. P. Reynolds, J. Wightman, J. Yablonsky, Annie Yablonsky, R. Gibbons, J. B. Vosburgh, G. C. Vandal, H. Michaels, Alfred Bannister, Henry Deas, L. Beck, D. A. Cords, Mrs. S. A. Downes, F. C. Jordan, S. R. Chappel, W. Simson. The first officers to serve were, J. E. Baker, Commander; E. J. Dodge, Vice-Commander; H. Kosminsky,



L. Nasbaumer

Orator; E. T. Barnes, Past Commander; D. A. Cords, Secretary; A. Victors, Collector; I. Manheim, Treasurer; J. B. Vosburgh, Chaplain; C. J. Moyes, Guide; J. Yablonsky, Warden; A. Cheminant, Sentry; J. Whitman, G. C. Vandal, R. Gibbons, Trustees. There are at present thirty-one members on the roll, and the under-mentioned officers: H. Kosminsky, Commander; Mrs. A. Cheminant, Vice-Commander; A. S. Cheminant, Orator; R. Gibbons, Secretary; I. Manheim, Treasurer; A. Victors, Collector; E. T. Barnes, Chaplain; C. F. Reynolds, Guide; H. Deas, Warden; Mrs. Yablonsky, Sentry; D. A. Cords, J. E. Ager, Mrs. Vosburgh, Trustees. Meets on the second and fourth Thursdays of each month in Odd Fellows' Hall, northwest corner of Park Street and Santa Clara Avenue, Alameda.

WHIDDEN HOSE COMPANY. NO. 2, ALAMEDA FIRE DEPARTMENT.—This company was organized June 16, 1881, with the following charter members: G. W. Wheeler, F. Holtz, J. Conrad, C. Boehse, J. Ball, F. Benn, H. Bemmer, O. A. Bemmer, A. Denke, J. Edwards, L. Encinas, P. L. Gochbauer, T. Guillett, A. Hecker, W. Holtz, H. Kustel, G. Kreith, W. H. Moller, M. W. Mathiesen, L. Probst, O. Rogers, C. Sturm, H. Schoenau, W. Schulte, W. G. Stahl, its first officers being, G. W. Wheeler, Foreman; W. G. Stahl, First Assistant; F. Holtz, Second Assistant; J. Conrad, Secretary; C. Boehse, Treasurer; W. Holtz, H. Kustel, W. H. Moller, Trustees. There are on the roll twenty-five active and twelve honorary members, with the following office-bearers: G. W. Wheeler, Foreman; O. Rogers, First Assistant; L. Schoenau, Second Assistant; J. Conrad, Secretary; C. Boehse, Treasurer. The company meets on the first Thursday of each month, at their quarters on Webster Street, between Pacific and Railroad Avenues, Alameda.

ALAMEDA OIL WORKS.—This enterprise was established in the year 1868, by Samuel Orr, and by him continued ever since. He at first started in the manufacture of castor, cocoanut, and linseed oil, but for the last seven years has confined himself to the production of the cocoanut-oil, of which he produces about three hundred tons per annum. The premises are situated in that part of the town of Alameda known as Woodstock, not far from Alameda Point. The establishment is supplied with a twenty horse-power engine and the necessary hydraulic presses.

PACIFIC COAST OIL COMPANY.—This company was established in 1880, and erected their large refinery at Woodstock, near Alameda Point, where petroleum oils are refined, the crude oil being imported from other counties of the coast, as good an article being manufactured as is to be found in the Eastern States. The officers are, C. N. Felton, President; D. G. Scofield, Auditor; L. D. Fisk, Secretary. Office at 402 Montgomery Street, San Francisco.

ALAMEDA PLANING MILL.—This establishment, situated on Encinal Avenue, between Oak and Walnut Streets, was started April 1, 1882, and occupies one hundred by two hundred and forty feet of ground. It is provided with molding-rack, engine and boiler house, a fifty horse-power engine, steam-pump, etc., and gives employment to fifteen workmen. The business done averages about twenty-five thousand dollars per annum. John A. Boin is the proprietor.

ENCINAL LUMBER YARD.—Renton, Holmes & Co., proprietors, N. B. Renshaw, manager, is situated at the corner of Oak Street and Encinal Avenue, and occupies an area embraced in three hundred feet frontage and one hundred and fifty feet depth, with capacity of storing three million feet of lumber, most of which is imported from Puget Sound, and Mendocino and Humboldt Counties. The enterprise was started in 1878, by the present proprietors, on their present location.

SCHUTZEN PARK.—These excursion grounds, situated in Alameda, were opened to the public early in the year 1868, and are the property of the Schutzen Loan and Building Society. They comprise between seven and eight acres of land, and contain all the necessary apparatus to make it a place of resort and picnic grounds. There are a dancing-pavilion, swings, shooting-ranges, etc., all being leased by Capt. George Cantus, a gentleman well known all over the State of California.

NEWPORT SWIMMING BATHS.—These, the pioneer baths of Alameda, were started in the year 1877, by Mr. Salara, but in February, 1878, he sold out to J. P. Wonderlich, who at once commenced elaborate improvements, which have been continued up to the present time, no less than twenty-eight thousand dollars having been spent upon them. The grounds are two hundred by six hundred feet. There are two hundred dressing-rooms, twelve hundred bathing-suits, a conservatory with glass sides, with a seating capacity for three hundred persons, and other and many luxuries for this health-giving exercise.

TERRACE BATHS.—This establishment is owned by R. Haley and C. A. Edson, and was commenced in 1878, since when it has been considerably added to. The dam or tank is three hundred by three hundred and fifty feet in dimensions; there are two hundred and forty dressing-rooms, and several rooms for hot salt-water baths, while there are on hand no fewer than four thousand bathing-suits. No less than twelve hundred private suits are kept here for the accommodation of regular customers, while the entire premises are lighted by twenty-two gas-lamps, each having an eighty-candle power. The manager is R. Haley.

LONG BRANCH SWIMMING BATHS.—This is the largest of the famous Alameda swimming-baths, with comfortable rooms and elegantly appointed grounds.

BROOKLYN TOWNSHIP.

GEOGRAPHY.—Brooklyn Township is bounded on the north by Oakland Township and Contra Costa County, on the east and south by Eden Township, on the west by Alameda Township.

TOPOGRAPHY.—The area of this township is computed to be in the vicinity of twenty-four thousand three hundred and forty-four acres, and extends from Indian Gulch to San Leandro Creek, a distance of about seven miles, and from the bay of San Leandro to the summits of the Contra Costa Range, some eight miles in width. It possesses considerable commercial advantages from the fact that the future Oakland Harbor and the head of the estuary of San Antonio form a part of its western border, the bay of San Leandro also penetrating into the marsh-lands on that side, while the beautiful Lake Merritt divides it from the township of Oakland. In the first years of American occupation the belt of giant redwoods known by the name of San Antonio after the creek up which came the "hewers of wood," was in its pristine vigor; to-day we only see the trunks of these monarchs of the forest, with sapling shoots springing therefrom, giving promise, were they left to attain maturity, of future value. The only piece of native forest-land is to be found on its eastern border. From the waters of the San Antonio back to the hills we have rolling lands of extreme beauty and fertility, which rise in graceful regularity until culminating in the Contra Costa Range, where high up are seen the outlines of deep ravines and well-secluded cañons.

VALLEYS.—There are no valleys of any magnitude in Brooklyn Township, but several small ones are to be found nestling between the higher foot-hills. Among these Fruit Vale takes the chief place on account of its beauty, salubrity, and fertility.

STREAMS.—Chief among the streams which belong to the township of Brooklyn is the San Antonio Creek. As early as the utility of the redwood trees was demonstrated the head of the stream became an embarcadero, and here, as early as 1851, did the late James B. Larue establish a trading-post. Of other streams, which all come babbling down from their mountain fastnesses, are the Indian Gulch Creek, which separates Brooklyn from Oakland Township, and falls into Lake Merritt; Sausal, and San Leandro Creek, the dividing line between the townships of Eden and Brooklyn.

CLIMATE.—Like that of Alameda Township, Brooklyn is free from fogs; indeed, while Oakland is enveloped in its dull, gray mantle, and the Bay of San Francisco is all but impassable from its opaque mist, the uplands of the township under consideration revel in the glorious delights of an unconcealed sun, thus there is a purity of air which makes this section a joyous sanitarium. In certain portions frosts are not known, while its general evenness of temperature makes it the garden above all others

of Alameda County. High winds are the exception, and those which come, usually from the northeast, stay not long enough to do aught of damage.

SOIL.—The soil of Brooklyn Township is principally composed of adobe and clay, and differs considerably from that of Oakland or Alameda, inasmuch as the former is a sandy loam. It is said that one can cultivate a larger area in one day in Alameda than he can on the adobe land of Brooklyn; but this is by no manner of means a disadvantage. The light, sandy soil soon dries for an inch or two below the surface, therefore sufficient moisture is not retained at such a depth to promote germination of the seed, consequently it is necessary to commence garden operations as early as the month of January, planting, as the season advances, deeper into the soil. The soil of Brooklyn Township, however, although requiring much greater muscular exercise and severe working to bring it into perfection for planting, and to keep it in that state, is always sure of producing a bountiful yield, although there are certain portions that do not produce remunerative crops. But this is the exception. The tendency of the soil known as adobe is to crack, but this may be prevented by continuous working, while it possesses a well-known virtue above the sandy loam in so far as it does not readily part with its moisture.

PRODUCTS.—Although not exclusively an agricultural section, the products of Brooklyn Township may be stated generally as grain, hay, fruits, and vegetables. There are few spots in California possessed of more varied advantages. Here the cereals fructify to perfection, but while in certain portions grapes, currants, and blackberries will not develop into rich maturity, the Bartlett pear, the Washington, and the Yellow Egg plum here find their richest perfection. It possesses orchards than which there are none finer in the whole length and breadth of the land, those of F. Rhoda, R. S. Farrelly, L. Stone, W. Vandyke being especially noticeable, while the stretch of land lying along its western border displays a care in cultivation that speaks well for the thrift of its possessors.

TIMBER.—In what may be termed the pre-American days there was one belt of redwoods which was known by the name of San Antonio, and where the production of lumber was carried on to a great extent. To-day the site of the forest is to be recognized only by the gnarled stumps of trees, with shoots springing therefrom. These were the only forest-trees in the county, save the usual clusters of oaks that give a park-like appearance to the scenery. With the settlement of the district trees exotic to it were planted, and at present we have large groves of the eucalyptus, besides different species of ornamental trees, in the vicinity of the several mansions which have been erected in every part of the township.

MEXICAN GRANTS.—Brooklyn Township is comprised entirely in the territory known as the Rancho San Antonio, granted to Don Luis Maria Peralta for meritorious services, on August 23, 1820, the lands lying within its boundaries being those given to his two sons, Antonio Maria and Ygnacio Peralta; and on the San Leandro Creek, in what is Brooklyn Township, did the two brothers erect their adobe house, the first residence built within its borders.

EARLY SETTLEMENT.—It is beyond a question of doubt that the first settlement made within the boundaries of Brooklyn Township was by the two brothers Ygnacio and Antonio Maria Peralta, who resided in an adobe house on the banks of the San Leandro Creek, but when this residence was constructed is lost in obscurity, although it may be right to conjecture that it was about the years 1821 to 1825. The lands of this powerful family extended from the above-named stream on the south to San Pablo on the north, and at the foot of the hills the two sons dwelt until the year 1842, when the magnificent estate was parceled out between them, Antonio Maria taking up his residence in Fruit Vale, and Ygnacio continuing in the old homestead. Here they remained in Arcadian simplicity to be disturbed eventually by the advent of the foreigner.

With the arrival of these energetic pioneers, who commenced traveling over the country searching for lands which to purchase or on which to locate, the San Antonio Redwoods were discovered, and as early as the summer of the year 1847 they were well known, and a trade with Yerba Buena (San Francisco) had sprung up. We have been informed by the Hon. Elam Brown, of Contra Costa County, that he was there then, whipsawing lumber. In short, here many of the earlier citizens gained their first Californian experience. Then came the discovery of gold in January, 1848, and with it the rush of people to the Pacific Coast. For the first year all went to the mines, but as they wearied, sickened, or lost heart, they tried fortune in the lower country, and many came to the redwoods of San Antonio to find employment in the manufacture of lumber and shingles. It was not long ere steam was introduced.

In or about the year 1849 a Frenchman, whose name is not now remembered, commenced the erection of a mill in the redwoods, which had never been completed, but passing into the hands of the late Harry Meiggs in 1851, was by him sold to Volney D. Moody, the present President of the First National Bank of Oakland. In 1852, D. A. Plummer, now residing in Brooklyn, entered the employment of Mr. Moody, and in the following year purchased the concern. In 1852 two more mills were erected by William and Thomas Prince, and a man named Brown. Subsequently Tupper and Hamilton put up another, as did also a man named Spicer, which last stood at the head of the cañon, its neighbor being Prince's mill, and lower down the Tupper and Hamilton place; Mr. Moody's stood about a mile on this (the Brooklyn) side of the summit. In course of time, from its convenience to the rapidly increasing city of San Francisco, the timber was in a very few years completely sawed out, and the hundreds of laborers who there found work were compelled to depart to seek "fresh fields and pastures new."

In the month of August, 1849, there arrived in California three brothers, Robert F., William, and Edward C. Patten, who, after passing the intervening time in San Francisco, in the month of February, 1850, crossed the Bay to visit the giant redwoods of San Antonio, of which they had heard a good deal. Procuring a whale-boat they made for the Contra Costa, and landing near the Brooklyn end of the railroad bridge, which is a continuation of Seventh Street, Oakland, found the country a vast undulating field of luxuriant grass, some ten inches in height. They at once bethought themselves of farming, although at that time it was generally believed that the prolific soil was naught but a barren waste.

At the period of which we write we are informed that the native Californians were bound by a most solemn pledge not to sell, nor even give information in regard to lands. They said: "If we can't fight these heathens out, we can starve them; for we can keep them from a permanent settlement here." Undeterred by this fact, however, the Pattens sought the advice of a Frenchman, who had pitched his tent not far from the San Antonio Creek, and, through him, entered into negotiations with Antonio Maria Peralta, at his house in Fruit Vale, which culminated in their leasing one hundred and sixty acres, and, taking possession, became the first permanent American settlers in Brooklyn Township.

In a visit to the first named of the three brothers, the venerable octogenarian informed us that, when they arrived, there was a shanty standing on the site of the blacksmith establishment of Northey & Wagar, but by whom it was built is not known; this much has been ascertained, however, it was, early in 1850, in charge of a man named Hooper, a Pennsylvanian printer, but when the Pattens came it had been abandoned. The brothers also found, when they crossed the bay, a man named Moses Chase, in ill-health, living in a tent about where the foot of Broadway, Oakland, now is, and attended by a friend. Chase had determined to return to the Eastern States, and had come to the Contra Costa to pass his time in hunting and recuperating during the mild Californian winter, ere going back to his home in the spring, but this journey he did not at that time accomplish, for the brothers taking a liking to him induced him to join them, which he did, and was afterwards invested with the like proprietary rights as themselves. In 1851 the Pattens leased an additional three hundred acres for a term of eight years. In 1850 they had commenced farming, but on the extension of their territory they laid nearly the whole of their possessions under a crop consisting chiefly of barley and wheat, and to them is the honor of turning the first furrow, with the first American plough, between Oakland and the Mission San José, while, as an instance of the luxuriance of the vegetation, during the first year of their residence fifty tons of hay were cut on the site of Clinton, which netted seventy dollars per ton, the market price being eighty dollars, but ten dollars of which were deducted for freight to San Francisco.

We have already mentioned the embarcadero of San Antonio, whence was exported the lumber from the redwoods. Early in the year 1851 the superior advantages of this location became known to the late Hon. James B. Larue, therefore moving from San Francisco to the opposite shore he acquired some property from Antonio Maria Peralta, and there determined to found the nucleus of a town—mayhap of a mighty city. Ere proceeding, however, with his means of attaining this desired end, let us inform the reader of what manner of man this gentleman was.

James Buskirk Larue was a native of Bergen County, New Jersey, where he was born February 6, 1800. Having received a good practical education in his native State he afterwards engaged in the manufacture of paper, but feeling that greater scope was necessary for his energy he followed the advice subsequently given by Horace Greeley to young men and "went west." In 1836 he settled in Michigan, and entered largely into the business of lumber-making, but owing to a disastrous crisis in the trade, he was compelled to succumb to misfortune, yet, honest man that he was, he gave up his all for the satisfaction of his creditors. That his manly worth

and business capacity were appreciated in that State, we find from the fact that he was at one time put forward as a candidate for the high office of Lieutenant-Governor, but suffered a party defeat. In the year 1849, in company with a number of others, he came to California, and, after passing a short time at the mines, returned to San Francisco, and finally, in 1851, took up his residence in Brooklyn Township, where he continued to reside until the day of his death, on January 7, 1872.

His first establishment, which was a tent covered with hides, stood in the neighborhood of what is now the junction of Twelfth Street and Fifteenth Avenue, and here he opened a store having as its chief object the supplying the lumbermen in the redwoods with goods. He immediately, however, commenced the construction, near by, of the house now occupied by Louis Winegard, whither he transferred his goods from the tent, and took up his residence with his wife and his son Luke, being joined, early in 1852, by Antonio Fonte. This gentleman, who is now engaged in business at No. 800-802 East Central Avenue (Brooklyn), East Oakland, informs us that when he first came to the township in November, 1851, besides the tent of Mr. Larue, a Mexican named Manuel Paracio had a corral standing in the center of the ground now bounded by Twelfth and Fourteenth Streets and Fourteenth and Sixteenth Avenues, while a man named Parker had a "rum-mill" where the store of Andrew Hempel now stands on East Twelfth Street, between Fifteenth and Sixteenth Avenues. This place, we are given to understand, had been built some time previously by a man named Dean. To the rear of the planing mill, now conducted by the Mendocino Lumber Company, stood a slaughter-house, occupied by Fisher & Son, while in the vicinity of what is now Twentieth Street stood a large farm-house, in which dwelt one Manuel Baragan, a Chileno, who farmed the whole of the Bray and Kennedy tract as far as the present boundary line of Alameda Township. The land to the west of Fourteenth Avenue was then what we have already mentioned as being farmed by the Patten Brothers and their associate, Moses Chase. Among those who settled in the redwoods in the year 1851 was William C. Blackwood, and who is now a resident of Eden Township.

In the year 1852 the Pattens erected the first residence in what afterwards became the village of Clinton, their dwelling previously being nothing more than a tent, which was often placed in jeopardy by the herds of wild cattle which then roamed at will over the district. In this year the first ferry from the embarcadero of San Antonio to San Francisco was started, the craft used being a "plunger," which received from her owner—a Frenchman—the name of the *Pirouette*, on account of the facility with which she could be brought up into the "wind's eye." At this time there was a great deal of traffic with the lumbermen, whose numbers could be counted by hundreds. In the year 1852 Duncan Cameron settled near the embarcadero, and on arrival found a butcher named Fuller, besides Allen, Chase, Larue, the Pattens, Michel and Lemoine, residing in the place, while there were some Portuguese earning a living by raising poultry, boating, and fishing. He then established the first livery-stable in the town, with only three horses. In this year Joseph and Isaac Freeman erected the Mansion House, which stood on the northeast corner of Fifteenth Avenue and East Twelfth Street, and conducted it as an hotel; and about the same time George Gaskins built on what is now the corner of East Fourteenth Street and Sixteenth Avenue.

In this year, also, a man named Hopper built a blacksmith's shop on the bank of the creek—now the foot of Sixteenth Avenue—but shortly after was succeeded by one Redman. Subsequently it was purchased by V. S. Northey, who now owns it. In 1853 Mr. Cameron built a larger livery-stable, while about this time the first school was established, and built by subscription.

In the year 1854 C. B. Strode, of the law firm of Jones, Tompkins, & Strode, of San Francisco, acquired six thousand acres of land from Antonio Maria Peralta, subject to the lease held by the Patten Brothers, to whom he made the proposition, that they should deed to him one-half of three pre-emption claims that had in the mean time been taken up by them, in consideration of their lease being canceled and the whole four hundred and eighty acres platted for the purpose of building a town. The survey was at once completed and duly recorded as the town of Clinton. The lots found immediate purchasers, the first property deeded being that now occupied by Badger's Park, the owner being Captain J. Nagle. In this year a large hotel was built by the property-owners of the town of Clinton, and placed in charge of Captain Wagstaffe, while in that year Hon. Thomas Eager came to the township, embarked in the lumber business in the redwoods of San Antonio, and erected his residence in the town of Clinton. Among the other accessions to the strength of the township in this year were J. A. Rose, now a resident of Murray Township, Andrew Hempel, and the deceased John Mathew.

In 1854 there was a considerable native population resident in the township who indulged in the favorite pastime of bull-fights, while the town grew apace, and increased in regard to the number of its inhabitants.

As early as 1852 a steam-ferry was established between Brooklyn and San Francisco, the pioneer steamers we are informed being the *Kangaroo*, *Hector*, and *Red Jacket*; these were followed by the *Contra Costa* (which was afterwards blown up and several lives lost) and the *Clinton* of the Minturn line. In the year 1857 the late James B. Larue, believing that the rates of fare then charged were excessive and detrimental to the interests of the residents of Alameda County, became associated with several others and established an opposition ferry line between Brooklyn, Oakland, and San Francisco, under the style of the "Oakland and San Antonio Steam Navigation Company," its originator becoming President. Having purchased the steamer *Confidence*, from her was built the *San Antonio*, which made her initial trip in April 1858. A general reduction in the rates of fare and freight ensued, one-half in the case of the former, and two or three hundred per cent. in the latter. In the fall of the same year the *Oakland* was launched and placed on the line, and during the summer of 1859 a lively opposition was kept up by the rival boats. The enterprise did not pay as well as its promoters anticipated and a great majority of them were anxious to sell out. The California Steam Navigation Company purchased a large amount of the stock, and tried very hard to get the supremacy, thus Mr. Larue was forced to buy a sufficient amount to control the entire business or allow the whole scheme to fail; and, in doing so, he became largely involved. In 1862 the Oakland and San Francisco Railroad and Ferry Line was established, and the steamers were sold to them. But, be that as it may, frequent and rapid communication with San Francisco and low fares and freights were established, which naturally increased the value of property.



Os. Webb

On January 20, 1859, W. A. Bray established himself on the Oak Tree Farm and commenced agriculture. Here he built a fine mansion, planted shade-trees, cultivated fine orchards, and made handsome lawns. In the spring of 1860, E. H. Derby took up his residence near his friend, commenced making improvements, and these formed the center around which has sprung a country of beautiful residences. To these gentlemen are we indebted for the delightful piece of locust-lined avenue in front of their dwellings. Soon after them came Henderson Lewelling and Governor Weller, whose places are now occupied by Hugh Dimond and Frederick Rhoda.

Generally speaking the farmers and horticulturists have been successful. The orchards of Messrs. Rhoda, C. T. Hopkins, J. V. Webster, and Schumaker are among the finest in the State, while that of R. S. Farrelly, near San Leandro, for its size, is not surpassed by any.

EAST OAKLAND, or BROOKLYN.—This portion of the City of Oakland as constituted at the present time is made up of the three villages of Clinton, San Antonio, and Lynn. The first of these was that portion of the town on which the Patten Brothers located in 1850; the second where we have said was the embarcadero, while the last was situated on the heights, and sprang into notoriety from its being the site of a large boot and shoe factory established there in 1867. It is our purpose to treat these three hamlets as the nucleus of the town of Brooklyn ere it was swallowed up by its big neighbor, Oakland.

The first house built in the town was that of the Pattens, and it was placed in regard to its survey on block number eight. The next settler we have already shown was the late James B. Larue. But it is unnecessary to repeat, for this information has been given to the reader elsewhere. In 1854, when the town of Clinton was laid out and Captain Nagle purchased the property now known as Badger's Park, he then built the second house in Clinton where it still stands in the center of the beautiful *demesne*. In the same year David S. Lacy erected a store at the corner of what is now East Twelfth Street and Twelfth Avenue, there being associated with him in the concern one B. M. Atchinson. On the northeast side of Twelfth Street, between Eleventh and Twelfth Avenues, a large hotel, three stories in height with seventy rooms, and costing thirty thousand dollars then, was erected by the owners of the town of Clinton, and placed in the charge of Captain Wagstaffe. Some six or seven weeks after it had been completed and occupied it was destroyed by fire. But why attempt to particularize. The town had taken a good start, for land was much sought after on account of its salubrity and beauty of location. The number of citizens had vastly increased, business enterprises had been effectually commenced, therefore consolidation was deemed necessary. To this end, in the year 1856, a petition was presented to the Board of Supervisors of the County of Alameda praying that such an union should take place; the prayer was granted and the villages of Clinton and San Antonio became Brooklyn, the name being taken from that of the vessel in which the proposer of the resolution, Hon. Thomas Eager, had come to California in 1849.

By the Act of the Legislature passed April 4, 1870, the villages of "Clinton, Lynn, Brooklyn, and vicinity" were constituted a body politic and corporate by the

name of the Town of Brooklyn, the boundaries being as follows: "Commencing at the bridge at the intersection of Encinal and Park Avenues, as laid down upon the published map of Oakland and vicinity (of William F. Boardman, City and County Surveyor), and thence following in a northerly and easterly direction along the boundary line of the city of Oakland and following said boundary line to a point opposite the center of Prospect Street; thence northeasterly, across Lake Shore Avenue to the center of the highway leading to Lake Park; thence along the center of said highway to an intersection with Indian Gulch; thence easterly along the center of said Indian Gulch, to the southerly and westerly line of the lands of John Hempel (excluding said lands); thence along the westerly line of said lands formerly the property of Duncan Cameron, to an intersection with Sausal Creek (at the northeast corner of Porter's plot); thence southerly along said creek to the northerly lands belonging to George Stevens; thence westerly, along said line to the northwest corner of said lands, at the westerly line of Lynn, as shown on said map; thence southerly, along said line to the northeast corner of the northern addition; thence southerly, along the easterly line of said northern addition, to the northwest corner of the Cameron plot; thence easterly along the northerly line of said Cameron plot to the northwest corner of Ghirardelli's plot; thence southerly along the westerly line of said plot in a direct line prolonged to the southerly line of the old County Road; thence westerly along the southerly line of said road to the northeast corner of the land of Sevin Vincent; thence southerly along the dividing line between the lands of said Vincent and W. A. Bray prolonged in a direct line to a point in the south line of Adam's Avenue; thence westerly to the northwest corner of the lands of Joshua Tevis; thence southerly along the westerly line of the lands of said Tevis to the southwest corner thereof; thence easterly along the land of Mrs. Requa; thence southerly in a direct line to the place of beginning." Section two of the Act vested the government of the town in a Board of five trustees, an assessor, and a clerk to be *ex officio* treasurer, an election being ordered for the first Monday in the month of May of each year. On May 4, 1870, that election was accordingly had, and resulted as follows: H. A. Mayhew, Hiram Tubbs, Adam Cannon, Charles Newton, Henry Tum Suden, Board of Trustees; A. W. Swett, F. Buel, C. C. Knowles, School Directors; J. F. Steen, Clerk and Treasurer; C. E. Webster, Assessor. Mr. Mayhew was elected President of the Board of Trustees on May 7th. On May 11th a proposition of Asa Howard to erect a building on Block number forty, Washington Street, in which the meetings of the Trustees should be held, and offering it at a rental of ten dollars per month was accepted, and the officials subsequently transacted their affairs in that edifice. On the 14th May, O. Whipple was appointed Town Marshal; and on September 2d, the name of Jackson Street in the ancient village of San Antonio was directed to be thenceforward called Humbert Street. On the 30th of the same month the right to lay pipes in the streets was granted to the Contra Costa Water Company; while the same meeting gave directions that hydrants should be placed on Washington Street, at the intersections of Chase, Jones, Clay, Polk, and Larue Streets; a franchise being granted to the Oakland Gas Company to lay their pipes on the 14th October.

The second election of town officers was held May 5, 1871, when the following

result was attained: H. A. Mayhew, Hiram Tubbs, Adam Cannon, H. Tum Suden, Isham Case, Board of Trustees; A. W. Swett, F. Buel, T. F. Steere, School Trustees; J. F. Steen, Clerk and Treasurer; A. B. Webster, Assessor; L. J. Rector, Justice of the Peace. To these, on May 12th, were added the names of T. J. Arnold, Engineer; and W. Van Dyke, Attorney. In our search through the records of the late town of Brooklyn, we find the Trustees receiving the following amusing letter of recommendation from a prominent citizen: "In the matter of Poundkeeper, referred to the committee of which I am Chairman, beg leave to recommend (if any change is made) Mr. Patrick Morrisey, a gentleman well qualified to fill the position, and will act without any expense to the town. He is a good, loyal citizen, and has been fighting and bleeding for his country for a number of years last past. A man of property, a father of a large family, and always votes at all our elections, and votes right."

On the seventh day of January, 1872, that much respected pioneer of Brooklyn, James B. Larue, was "gathered to his fathers." It is said of him that very few men were possessed of a better judgment of "men and things." In matters of law his opinion was superior to that of many professional lawyers. One instance may be cited to show what faith he had in his own judgment and how persistently he followed it up. At the time when the ferry line was established between this and the San Francisco side of the Bay, the Contra Costa Steam Navigation Company, whose agent was Charles Minturn, was supposed to have the exclusive right to run and maintain a ferry between Oakland and San Francisco, under a contract with Horace W. Carpentier and others, and suit was commenced against the opposition company. Many lawyers said it would be useless to resist, for Minturn undoubtedly had an exclusive right. The suit was finally decided in the United States Supreme Court in favor of the opposition company. One of the most brilliant lawyers of the San Francisco Bar once said: "If I could beat J. B. Larue in a lawsuit it would be a big feather in my cap." He was warm-hearted and genial in his nature, and beloved by his family and all who knew him intimately. He gave freely to all public institutions of the town. He presented the lots on which the Presbyterian Church is built; also those for the Episcopal; the lot for the engine house was also his gift, while he was the largest contributor towards the purchase of a fire engine. He had been a member of the State Legislature of Michigan, and subsequently had the like honor conferred upon him in California. He was possessed of that scarce spirit known as fortitude, in a remarkable degree, which, linked with his wonderful business acumen, nearly always enabled him to extricate himself from pressing difficulty. On the death of her husband, his widow, who had shared with him the many dangers and vicissitudes he had to encounter in East and West, returned to the home of her parents in Bergen on a visit, and coming back once more to her family and her dearly-loved Western home, there, in 1875, departed to that better land from whose "bourne no traveler returns." Upon Mr. Larue's death, the Board of Trustees, January 10, 1872, passed the following resolutions:—

"WHEREAS, It hath pleased the Supreme Ruler of events to remove from our midst one of our most estimable and honored citizens, it is therefore

Resolved, That we deeply realize the loss of one of the Pioneers of the town and one who has greatly assisted in building it up, and by his tenacity of purpose carried him and us through many tribulations and finally secured to us permanent benefits which we can never repay.

Resolved, That we deeply sympathize with the family of the deceased, and trust that our Great Father will be a protector to the widow, and a father to the children who survive."

At the May election of the year 1872, H. A. Mayhew, Isham Case, C. C. Knowles, A. W. Swett, George W. French, were chosen to fill the positions of Town Trustees, while the remaining officers were the same, save that of Clerk and Treasurer, to which A. J. Webster was elected.

During the progress of the war consequent on the removal of the county seat, and pending its decision, Brooklyn was honored with the presence of the Court House and other county buildings. In October the Trustees made a bid for its permanent location by offering either Washington or Independence Square for the purpose, but the coveted prize slipped through their fingers and went to Oakland.

In the month of October, 1872, a petition, signed by some of the principal citizens and property-holders of Brooklyn, was presented to the Board of Supervisors of Alameda County, praying that an election might be held, under provisions of the Act entitled "An Act to enable the inhabitants of territory adjacent to any city in this State to annex the same thereto," for the purpose of determining whether the inhabitants of Brooklyn would decide to have certain territory of that town annexed to the city of Oakland. The election was ordered as petitioned for, and, being held, resulted in showing a large majority in favor of annexation. The scheme was fully ratified; and the last minute in the Record Book of the Town of Brooklyn states that Messrs. Case, Swett, and French were unanimously appointed a committee to confer with the City Council of Oakland in reference to annexation. A vote of thanks was passed to the officials of the *quondam* town, and the Board adjourned *sine die*.

Brooklyn now became a portion of the city of Oakland, its history since that time will therefore be carried on in the chronicles of that place.

Besides being a locality of pleasant residence, East Oakland is a place of considerable business activity, as the following histories of its principal commercial enterprises will fully exemplify.

As at present constituted, East Oakland, or Brooklyn, constitutes the Seventh Ward of the city of Oakland, possesses several good hotels, among them the famous Tubbs' Hotel whose palatial *façade* and well laid out grounds, would enhance the beauty of any city, while nestling in the hills is the famous Mills' Seminary, an institution which has a world-wide reputation.

FIRST BAPTIST CHURCH OF BROOKLYN.—On April 16, 1860, work was begun on the building of this organization, and the dedicatory services were held on the first day of the following September. During the month following, the organization of the church was effected by Rev. J. D. Saxton, with the following members: Rev. J. D. Saxton, J. B. Stickney, Mrs. Saxton, James Lansing, Charlotte Lansing, Martin Shuey, Margaret Shuey, S. D. Shuey, Catharine Shuey, A. K. Warner, Sarah Warner, and Wealthy Taylor. Rev. J. D. Saxton was the first pastor, and J. B. Stickney was the first clerk. The first trustees were, Hiram Tubbs, J. A. Taylor, S. D. Shuey, W. W. Manning, and J. B. Stickney. The following named pastors have supplied the pulpit of this church: Revs. J. B. Saxton, John Francis, W. A. Parrey, T. G. McLean, and S. B. Morse. During the last four years the building has been remodeled inside and out

and one hundred seatings added. The present membership is one hundred and thirty-two, and has more than doubled during the past five years, which speaks very highly of the efficient service of the pastor during that time. The Sunday-school connected with this church has an average attendance of two hundred and forty, and the Sunday-school library contains six hundred and fifty volumes. The building is located on the corner of Fourteenth Street and Tenth Avenue. The society is free from debt, and the property is valued at eight thousand dollars.

CHURCH OF THE ADVENT.—The Church of the Advent, Protestant Episcopal, of East Oakland, was organized May 25, 1860, by Rev. Benjamin Ackerly, at that time rector of St. John's Church, Oakland. Owing to the fact that the records of the parish were destroyed by fire shortly after the organization of the church, it is impossible to give a list of the first members. The first church officers of which any record appears were those who served in 1864, as follows: Asa Walker, Senior Warden; E. G. Mathews, Junior Warden; William Patten, Clerk; Isham Case, Treasurer; and J. B. Larue, L. Wilson, and George Jones, Vestrymen. The building was erected in 1860, and consecrated February 20th of the following year. The cost of the edifice, including furnishing and carpets, was two thousand four hundred dollars, all of which was met when due. The church was located on the corner of Fourteenth Street and Seventeenth Avenue, and was built on ground donated by James B. Larue. In June, 1882, it was moved to its present site at the corner of Sixteenth Street and Twelfth Avenue, the ground it occupies comprising four lots, which were the gift of Mrs. M. Langley. In November, 1880, a room was erected adjacent to the church in which a parish school is conducted, and which is also used as a Sunday-school room. On the first Sunday of July, 1865, Rev. D. Ellis Wills was called to take charge of the church, and on the 25th of February of the year following he was elected rector. In 1869 Rev. Daniel Kendig was chosen his successor, and he was succeeded by Rev. Sidney Wilbur in 1871, and he by Rev. Hamilton Lee, in 1878, who is the present rector. The present officers are, C. J. Hawley, Senior Warden; C. M. Nichols, Junior Warden; E. G. Mathews, Clerk; C. Ramsden, Treasurer; and Dr. M. W. Fish, L. R. Mead, A. E. Magill, and F. Hawxhurst, Vestrymen. The communicants at present number seventy, and the attendance at Sunday-school is one hundred and thirty.

EAST OAKLAND METHODIST EPISCOPAL CHURCH.—This church was organized in 1874, but the records fail to state who were the organizing members. The first pastor was Rev. William Hulbert, Rev. B. E. Edgell followed him in 1876, and Rev. William Gaffney, Rev. C. J. Lovejoy, and Rev. George Newton supplied the pulpit during 1877. In 1878 Rev. William S. Turner was the pastor, and in 1879 he was succeeded by Rev. William Angwin, who was followed by Rev. Jonathan L. Mann, in 1880, who is the present pastor. The present membership of the church is given at sixty. A Sunday-school is conducted in connection with the church, which has an average attendance of one hundred scholars. The building is located on Seventh Avenue near Fourteenth Street. It is small, having a seating capacity of only two hundred sittings. It was erected in 1874.

EAST OAKLAND YOUNG MEN'S CHRISTIAN ASSOCIATION.—This organization

was formed January 16, 1881, with a membership numbering twenty-four under the auspices of the Oakland Association and as a branch thereof, and it still remains so related to the Oakland Association, although it is sustained by the people of East Oakland. The present average attendance is fifty-four. The meetings are held on Sunday afternoons, and are conducted as gospel meetings.

MILLS' SEMINARY.—The history of this institution takes us back to the year 1852, when the Benicia Female Seminary was established, and from which upwards of twelve hundred young ladies went forth into the world to bring sunshine into many a household, and to instill into their children the knowledge gained from this fountain of learning. The school at Benicia had been for several years under the control of Rev. C. T. Mills and his wife, and under their popular *régime* had much increased in usefulness, but he desired to move to a more extended field and central location for the scene of his labors. He had become the owner of the lands now known as Seminary Park, and here he elected to establish his institution of learning for young ladies. A plan of operation was soon decided upon, and through the untiring assistance of J. O. Eldredge, of San Francisco, were prosecuted with the most flattering success. Over twenty-five thousand dollars were raised by private subscription, Dr. Mills entering into an agreement to maintain the school for at least five years, and to eventually deed the land on which the building should stand, with fifteen acres besides, in trust forever to be used for a school for young ladies. Building operations were commenced in the summer of 1870, and in the month of August, 1871, the school was opened for the reception of pupils, while there is not anywhere west of the Rocky Mountains such an institution, and it is doubtful whether the famous Vassar College excels it.

The building is located in a beautiful little valley at the foot of the Contra Costa Range, at the confluence of two mountain streams, and is distant about five miles from the city of Oakland, the vale being perfectly protected from the winds, and yet retaining, unobstructed, the general view of the country. The designs were drawn by S. C. Bugbee & Son, the architects under whose supervision the huge fabric was raised. The contract price was sixty thousand dollars, the work being done by J. W. Wilbur. The brick-work was done by Remillard Brothers, of Oakland, while the lumber came from Larue's lumber-yard at Brooklyn, three hundred thousand feet having been required.

As one drives up the winding avenue leading to the premises, the immense pile suddenly looms up in its full proportions, and the visitor is astonished at such a display of architectural grandeur in so quiet and remote a locality. It has a frontage of two hundred and eighteen feet. The central portion is four stories high, surmounted by a mansard roof and observatory, while the eastern and western divisions are three stories high, also with a mansard roof. It surpasses in beauty and extent any building for educational purposes in California. There are three front entrances; that on the west being to the apartments occupied by the principal, the central one for the public, and that on the east being for the pupils. Upon entering the middle, the first room to the left is a reception-room, beautifully frescoed, and on the right there is a parlor for the use of young ladies. Passing on through a broad hall we come to a

corridor running the entire length of the building from east to west. On either side of it are recitation and music rooms and parlors, which are for the most part frescoed, and provided with grates and marble mantels. At the extreme westerly portion of the structure are the private apartments of Doctor and Mrs. Mills. At the other extremity, there are three large school-rooms, connected by means of sliding doors, and adjoining these are numerous small recitation-rooms, all with stationary black-boards. At the east end of the building a wing is extended to the north, and there will be a similar one built upon the other end when the necessities of the institution may require it. Directly in the rear of the main building is the dining-room and kitchen, the former of which is frescoed and has an excellent wainscoting, it being equal in its arrangements to any hotel dining-room in the State. The kitchen would hardly be recognized as such by our great-grandmothers, could they revisit this sub-lunary sphere. The immense range and baking apparatus are of the latest and most improved patterns. The second story is divided into sleeping-apartments for the pupils and teachers. In every room there is a large closet, a marble basin, gas-fittings, etc., and there is not an apartment in the whole building, it may be stated, into which the sun does not shine at some time of the day. There are inside blinds to the windows. The teachers' apartments occupy commanding positions and while the young ladies may not consider themselves under strict surveillance they have a very poor opportunity to get into mischief, should they be so inclined. As in the lower story, a corridor runs the entire length of the building. There are several bath-rooms, with hot and cold water, on this and on the third story. The third story is similar in all respects to the second, while from the observatory, elevated seventy-five feet above the ground, the view is surpassingly grand. The hills of San Bruno, with the waters of the bay of San Francisco at their feet, the southern portion of that city, including Hunter's Point, the valleys of Alameda, Santa Clara, and Fruit Vale, and the pretty village of San Leandro combine to form a picture which our poor pen is unable to describe.

As we have said, there are gas-fittings in every room in the building, while water is obtained from the neighboring streams in never-failing abundance. The ventilation of the house is perfect, the corridors turning a current of fresh air into all the apartments through the transoms over the doors. Many of the rooms are warmed by means of grates, but a large hot-air furnace has been provided in the basement, having registers in the halls, which keep the whole building sufficiently warm.

The institution is in no way sectarian, though Christian. The course of study is broad and liberal, while every precaution is used to avoid imparting that shallow and superficial smattering of the languages, music, etc., so common in female educational institutions. It is and ever has been the aim of Doctor Mills and his friends to impart a thorough education to the young women of California, and also instruct them in those varied duties they will be called upon to perform in future life.

The grounds comprise sixty-five acres, rich in oaks, willows, alder, sycamore, laurel, and bay trees, orchard and garden, and a creek winding through the domain adds to the natural attractions of this delightful spot. Everything betokens the highest taste and skill, and we have seen no school edifice in California or elsewhere equaling it in beauty of surroundings, or surpassing it in convenience of design.

In May, 1872, the foundation-stone of the new church was laid, and is a very neat building, gothic in structure. It occupies a site opposite to that blown down in October, 1870, and cost about fifteen thousand dollars, the edifice occupying an area of forty-five by seventy-seven feet, and surmounted by a spire one hundred feet in height. The first clergyman was Rev. Mr. Lacy.

BROOKLYN LODGE, No. 225, F. and A. M.—Was organized July 9, 1872, with John H. Sumner, John W. Phillipps, Jonathan V. Webster, Bezalcel M. Atkinson, Nicholas P. Perrine, Charles F. Barnhisel, Frank Schuneman, Herman Pfeinger, Henry Hampel, George W. Babcock, John R. Watson, George M. Walker, John H. N. Tum Suden, Duncan Cameron, James Larue, Charles R. Stetson, Ludwell J. Rector, as charter members. The first officers were: J. H. Sumner, W. M.; J. W. Phillipps, S. W.; J. V. Webster, J. W.; G. M. Walker, Treasurer; J. Larue, Secretary; B. M. Atkinson, S. D.; C. F. Barnhisel, J. D.; H. Hampel, Tyler; G. W. Babcock, Marshal. The present number of members on the roll is forty-five; the Past Masters are: J. H. Sumner, J. V. Webster, J. W. Phillipps, B. M. Atkinson, G. M. Walker, and J. A. Webster; while the officers for the current term are: C. H. Ramsden, W. M.; L. R. Mead, S. W.; A. E. Magill, I. W.; James Cabbledick, Treasurer; H. S. Mulford, Secretary; E. G. Mathews, S. D.; J. J. Newsom, J. D.; A. W. Swett, Marshal; J. V. Webster, Geo. Ridley, Stewards; W. D. Thomas, Tyler. Meets on the first Tuesday of each month.

ORION LODGE, No. 189, I. O. O. F.—Was organized June 14, 1871, with the following charter members: Joseph Becht, W. I. Noyes, O. Whipple, James McGrath, D. McFarland, J. J. Pensam, J. H. West, William Skitch, V. S. Northey, T. W. Le Ballister, J. K. Smallman, H. Hampel, F. Deike, T. D. Weymouth, S. N. Sawyer, the original officers being: Joseph Becht, J. P. G.; W. H. Hamilton, N. G.; W. D. Thomas, V. G.; W. T. Noyes, Sec.; O. Whipple, Per. Sec.; James McGrath, Treas.; S. N. Sawyer, Warden; V. S. Northey, Conductor; J. J. Pensam, I. G.; T. J. Le Ballister, O. G.; T. D. Weymouth, R. S. N. G.; John West, L. S. N. G.; D. McFarland, R. S. V. G.; H. Hampel, L. S. V. G.; J. K. Smallman, R. S. S.; Wm. Skitch, L. S. S.; O. Hemstreet, Chaplain. The Lodge has at present eighty-four members on its roll. Its list of Past Grands is: E. Bangle, George Chase, W. H. Hamilton, A. Howard, W. A. Donilson, J. M. Holiday, H. A. Kingsbury, Z. Ludwig, R. W. Martin, V. S. Northey, W. T. Noyes, J. J. Pensam, M. W. Fish, J. K. Smallman, H. A. G. Smith, W. D. Thomas, James Taylor, O. Whipple, J. K. Watson, E. W. Bradley, and its present officers are: J. E. Holmes, J. P. G.; C. H. Townsend, N. G.; C. M. Johnson, V. G.; W. Sandholt, Sec.; J. Williams, Per. Sec.; V. S. Northey, Treas.; W. C. White, Warden; M. W. Fish, Conductor; J. Ough, I. G.; George Bryant, O. G.; E. W. Bradley, R. S. N. G.; J. J. Pensam, L. S. N. G.; B. F. Henley, R. S. V. G.; F. Hampel, L. S. V. G.; T. F. Spear, R. S. S.; A. Gray, L. S. S.; W. H. Hamilton, Chaplain. Meets every Saturday evening in Odd Fellows Hall, at the southeast corner of Eleventh Avenue and East Twelfth Street. The hall was built in 1876, and is a two-story frame building having three stores on the ground floor, with lodge-room, ante-room, and library on the second, the whole representing, with furniture, a value of some eight thousand dollars. The library contains about nine hundred volumes.



J. Russell

EVENING STAR LODGE, No. 263, I. O. O. F.—The Lodge was instituted July 20, 1877, with the following charter members: T. W. Le Ballister, P. G.; F. Schimmelpfening, J. L. Golden, John Nelson, John K. Woodward, O. J. Bailey, L. B. Larue; the first officers being: J. Nelson, N. G.; J. K. Woodward, V. G.; T. W. Le Ballister, Sec.; F. Schimmelpfening, Treas. The present number of members is fifty-one, while the officers for the current term are: F. X. Olanie, J. P. G.; R. H. Larsen, N. G.; D. J. Sullivan, V. G.; T. W. Le Ballister, Sec.; F. Schimmelpfening, Treas. Meets on Wednesday evening at Schimmelpfening's Hall, East Twelfth Street, East Oakland.

BROOKLYN REBEKAH DEGREE LODGE.—The Brooklyn Rebekah Degree Lodge No. 12, I. O. O. F., was organized July 8, 1872, with the following charter members: J. C. Holland, Mrs. S. M. Holland, O. Whipple, Jeanette Whipple, Thos. F. Steere, Mrs. Julia E. Steere, W. D. Thomas, Mrs. Annie Thomas, Ives Scoville, J. E. Bacon, Eliza Bacon, George Chase, Dana Chase, James Cobbledick, Isabella Cobbledick, Joseph Hook, Calista W. Hook, V. S. Northey, Mary L. Northey, F. M. Farwell, Jennie E. Farwell, Louisa Schimmelpfening, James McGrath, Mrs. E. M. Rosette, J. F. Fairfield, J. J. Pensam, J. H. West, T. W. Le Ballister. The first officers were: J. C. Holland, N. G.; Julia E. Steere, V. G.; May L. Northey, Secretary; E. Bacon, Permanent Secretary; Annie Thomas, Treasurer; Thomas F. Steere, Warden; Mrs. S. M. Holland, Conductress; T. W. Le Ballister, Inside Guardian; C. W. Hook, R. S. to N. G.; E. M. Rosette, L. S. to N. G.; Isabella Cobbledick, R. S. to V. G.; Louisa Schimmelpfening, L. S. to V. G.; Dana Chase, Chaplain. The Past Grands of the Lodge are: J. C. Holland, J. J. Pensam, O. Whipple, W. D. Thomas, Geo. Chase, J. W. Watson, Dana Chase, Louisa Holmes, May L. Northey, Annie Liere, Nellie S. Loud, M. J. Hamilton, Lydia J. Pinkham, Jeanette Whipple, Katie Icke. The present officers are: Katie Icke, J. P. G.; Sarah T. Yale, N. G.; Calista W. Hook, V. G.; Jeanette Whipple, Secretary; Annie Thomas, Permanent Secretary; Annie Liere, Treasurer; C. H. Townsend, Warden; Nellie S. Loud, Conductress; Louisa M. Watson, I. G.; May L. Northey, R. S. to N. G.; Dana Chase, L. S. to N. G.; S. M. Holland, R. S. to V. G.; R. E. White, L. S. to V. G.; Mrs. J. B. Williams, Chaplain. The present membership is ninety-three. This Lodge is in a very prosperous condition. It meets every Monday evening at Odd Fellow's Hall, corner of Twelfth Street and Eleventh Avenue, East Oakland.

BROOKLYN LODGE No. 32, K. of P.—Was instituted August 21, 1875, with the following charter members: George Lewis, Jr., Adam Follrath, Shadrack Osborne, E. M. Lawrence, Richard Cowell, Joseph Anderson, F. X. Olanie, W. Hendershot, George Rischmuller, H. Liese, James Moffitt, John Cowell, W. H. H. Hamilton, Joseph Hawthorne, F. Lheureux, F. Schimmelpfening, Charles Scheley, Robert Stephenson, F. J. Hughes, Richard Rischmuller, E. H. Geldner, and J. C. Roff. The first officers were: George Lewis, Jr., P. C.; Adam Follrath, C. C.; S. Osborne, V. C.; Robert Stephenson, P.; W. H. H. Hamilton, K. of R. & S.; J. C. Roff, M. of F.; F. Schimmelpfening, M. of E., Richard Cowell, M. at A.; E. M. Lawrence, I. G.; F. Lheureux, O. G. The Past Chancellors are as follows: George Lewis, Jr., Adam Follrath, S. Osborne, Joseph Anderson, Joseph Hawthorne, W. H. H. Hamilton, E. L. Hutton,

H. H. Colby, J. L. Roundey, W. W. Mill, Charles J. H. Luth, N. P. West, F. X. Olanie, E. H. Warren. The present officers are: E. H. Warren, P. C.; W. A. Follrath, C. C.; F. A. Brown, V. C.; A. Follrath, P.; Charles J. Luth, K. of R. S.; T. Jackson, M. of F.; H. H. Colby, M. of E.; F. A. Bemis, M. at A.; A. J. Glaze, I. G.; A. M. Irwin, O. G. The present membership is ninety-five, and is continually increasing.

BROOKLYN LODGE, No. 3, A. O. U. W.—Was organized September 29, 1876, with the following charter members: M. W. Fish, Geo. Chase, V. S. Northey, George Lewis, Jr., B. Browning, Joseph L. Golden, E. J. Deemer, J. C. Roff, O. Whipple, H. G. Oliver, George J. Hood, Oswald Lubbeck, David Hughes, M. N. Tharsing, Philip Schley, F. Schimmelpfening, Jr., Edward Bangle, Thomas J. Hughes, Thomas W. Le Ballister, J. H. Talken, Adam Follrath, Arthur Chilton, Charles Schley. The first officers were: M. W. Fish, P. M. W.; O. Whipple, M. W.; Thomas J. Hughes, Foreman; B. Browning, Overseer; George Chase, Recorder; H. G. Oliver, Financier; Edward Bangle, Receiver; Adam Follrath, Guide; M. N. Tharsing, Inside Watchman; Arthur Chilton, Outside Watchman; O. Whipple, H. G. Oliver, and George Chase, Trustees. The following named gentlemen have filled the position of M. W.: M. W. Fish, O. Whipple, H. G. Oliver, Edward Bangle, W. H. Hamilton, J. E. Blethen, James Miller, L. J. Rector, H. C. Hinman, J. W. Watson, V. S. Northey, C. H. Townsend, and H. L. Farrier. The present officers are: C. H. Townsend, P. M. W.; H. L. Farrier, M. W.; John Abraham, Foreman; George Briant, Overseer; George Chase, Recorder; L. J. Rector, Financier; James K. Smallman, Receiver; E. W. Bradley, Guide; B. F. Rector, Inside Watchman; O. C. Kirk, Outside Watchman; O. Whipple, E. Bangle, and George Chase, Trustees. The present membership is ninety-two; meetings are held in Odd Fellows Hall, East Oakland.

THE PIONEER POTTERY.—This may well be called the pioneer pottery, for it is not only the first enterprise of the kind ever begun in Alameda County, but it was put in operation by the man who established the first pottery in California. In 1856 Daniel Brannan came to what was then known as San Antonio, now East Oakland, and being a potter by trade, and finding that suitable clay could be obtained conveniently he at once decided to begin operations, and from that small beginning has been developed the present extensive business, which is located at the corner of Twelfth Street and Seventeenth Avenue, East Oakland. Mr. Brannan owns about one hundred acres here, which gives him ample room for extending his business almost without limit. He began operations on a very small scale at first, having only one kiln, and that was of very limited capacity, but since then he had occasion, owing to the demand made upon him for his productions, to enlarge the scope of his operations until at last he had three kilns, the largest of which was twelve feet on the inside, by eight feet high, the three having a capacity equal to any works in the State. He is at this writing (January, 1883) tearing down his old kilns and constructing new and larger ones. He has experimented sufficiently with clay that has been procured in different parts of this State to satisfy himself that a superior article of Rockingham and yellow-ware can be produced from it, and doubtless that branch of the business, which is new in California, will shortly be entered into quite extensively by

him. He is also experimenting with a new clay that has recently been discovered in this State, from which he is confident that a superior article of China-ware can be made. Should this prove a success it will mark an epoch in the history of pottery in California. In the past Mr. Brannan has confined his attention chiefly to the manufacture of sewer and drain tile, flower-pots, and terra cotta.

CALIFORNIA POTTERY AND TERRA COTTA WORKS.—This industry was begun by James Miller in 1875, in a small room only twelve by twelve feet, where he followed modeling and molding. From that small beginning the business has been increased to its present mammoth proportions. There are now three kilns, the largest of which is twenty-eight feet long, fifteen feet wide, and fifteen feet high. The combined capacity of the three kilns is about eight thousand dollars worth of goods. The buildings consist of a work-shop, one hundred by fifty feet, two stories; a drying-house, fifty by fifty feet, two stories; a work-shop, twenty-five by one hundred feet, one story; a grinding-room, thirty by sixty feet, one story; a jigger-shop, thirty by one hundred feet, two stories; and a flower-pot shop, thirty by one hundred feet. The premises include one and three-fourth acres of ground. There are three mills, with a capacity of fifty tons of clay per day. The following articles are manufactured at the works: Sewer-pipe, sewer-pipe fittings, ornaments and trimmings for buildings, chimney-tops, garden-vases, fountains, antique urns, flower-pots, etc. The works are under the personal supervision of Mr. Miller, who is not only a master workman at his trade but an artist of the highest order as well, many of his designs being almost incomparable. The material used at the works comes from Michigan Bar. About fifty men are employed. The owners of the works are Messrs. Miller & Windsor.

EAST OAKLAND POTTERY.—This industry was practically put in operation in 1872 by Henry Bundock, who is the present proprietor. A small affair had been started by a man whose name is now forgotten about six months prior to the time mentioned above, but it was insignificant, and to Mr. Bundock belongs the credit of developing the business to its present proportions. The kiln used is eleven by seventeen feet in size. Drain-tile, sewer-pipe, stone-ware, flower-pots, and terra cotta are manufactured here with eminent success by Mr. Bundock. The white clay used at this establishment is shipped from Michigan Bar, while the red clay is secured in the vicinity of Brooklyn. The place of business and works are located at the corner of Twelfth Street and Nineteenth Avenue.

OAK GROVE TANNERY.—This industry is located at the corner of Central and Eighteenth Avenues, East Oakland, and was begun by P. S. Wilcox & Co., about twenty years ago. When it was first put on foot it had a capacity of about one hundred hides a week, which has been increased gradually by the present owner, until six hundred hides per month are turned out ready for the market. The proprietor of the business now is J. S. Derby, who purchased it in 1871. There are seventy-five vats in use at present. An engine is used for pumping purposes, and for grinding the bark, about six hundred cords of which is used each year. The bark supply comes

from Mendocino County. The manufactured product of this tannery consists wholly of harness, sole, and saddle-skirt leather, the bulk of which is shipped directly to the East and sold at wholesale.

BROOKLYN TANNERY.—This industry, which is located on Twelfth Street, East Oakland, was begun by G. F. Crist in 1871, and he has continued it ever since, though other gentlemen are now associated with him, and the firm name is Crist & Co. Operations were begun upon the same scale as that on which they are now conducted, no change in either buildings or capacity having since been made. There are fifty vats in use, and about two hundred and fifty hides per week are turned out ready for the market. The leather manufactured at this tannery is used for harness and boot-soles only, and a ready market is found for the entire product on this coast. There are two buildings, one of which is forty by one hundred and forty feet, and the other is forty by one hundred feet; there is also a bark-shed which is sixty by eighty feet in size. Eight hundred cords of bark are consumed annually at this tannery in the process of leather manufacture. About twenty men are employed.

THE EAST OAKLAND PLANING MILLS.—This industry, which is the only one of the kind in East Oakland, was started by Messrs. Power & Ough in the spring of 1876. Since then it has passed through several hands. The building was destroyed by fire in 1879, and rebuilt by the present owners in 1880. The machinery at present consists of two planers, three molding machines, one variety molder or shaper, one set of sash, door, and blind machinery, four rip and three crosscut saws, band and scroll saws, and one buzz planer. The power which drives this machinery is produced in two boilers, and applied through an engine twelve by twenty-four inches. The building occupied by the mills is forty by eighty feet in size, and two stories high, with additional room for boilers and engine, and is located on the corner of Twelfth Street and Fourteenth Avenue, East Oakland. A general milling and manufacturing business is conducted at the establishment. Mr. John Trotter is the present superintendent.

BROOKLYN MANUFACTURING COMPANY.—This enterprise is conducted by Messrs. Northey & Wagar, and is located on Twelfth Street, East Oakland, where they are engaged in the manufacture of carriages, wagons, and agricultural implements.

EAST OAKLAND BREWERY.—This business was begun by Mr. Mangel in Oakland some years ago, but he finally decided to move to East Oakland, and chose for the site of his future operations the lot on the corner of Twelfth Street and Eighth Avenue. In July, 1881, R. Ringgenberg purchased the property and conducted the business till January, 1882, when S. Neukom became associated with him. The building is thirty by one hundred feet and two stories high. The capacity of the brewery is given as two thousand barrels of beer per year.

BROOKLYN BREWERY.—This business is carried on by Messrs. Welscher & Braun, in a two-story brick building forty by seventy feet in size, located on the corner of Fourteenth Street and Eighteenth Avenue, East Oakland. This enterprise was first

put on foot by A. Miller in 1872, and the present proprietors came into possession in 1876. The capacity of the brewery is given at thirty-five hundred barrels of beer per year.

BADGER'S PARK.—About half a mile beyond Broadway Station, on the line of the local ferry road, is Clinton Station, the last stopping-place of the local trains from San Francisco before reaching Brooklyn Station. Bordering on the San Antonio Creek, with its grounds sloping down to the water's edge and with an almost perpetual green landscape in view, it presents one of the most inviting places of rest to the sojourner from the city that perhaps can be found on this side of the bay. A few yards, not more than thirty or forty feet, beyond the platform of the station, commences the grounds of Capt. Thomas W. Badger, the hero of the well-known and nation-regretted steamer *Central America* disaster, which occurred on this coast in the year 1857. After retiring from a life on the ocean deep, Captain Badger purchased ten acres of land at San Antonio, and settled down to enjoy the remainder of a thus far well-spent active life on the rolling wave, and applied himself to beautifying his home. This was some twenty-two years ago, and during all that long period of time the Captain has been continually at work in the improvement of his beautiful place until now we doubt if a spot can be found in all California that can approach it in point of location and rustic beauty. A sloping grade from the northern boundary to the edge of the creek was long since made, and over the entire space are to be found trees and plants of almost every variety native to the soil and of the various tropical species. Drives and paths wind through grassy lawns shaded by umbrageous oaks and trees of an endless variety, and through the center runs a brook of the clearest water emptying into the bend of the estuary, which forms a portion of the southern boundary of the property. But the gallant Captain, who has weathered so many storms in the wild waste of waters, and risked his life a thousand times for others, became tired of enjoying his paradise alone and resolved to share its beauties and the pleasures they gave, with others. He therefore determined to open it as a park and pleasure resort.

On February 1, 1872, ground was broken for a public park—for a place where the thousands of mind and body-weary denizens of San Francisco and Alameda Counties—school children and pleasure-seekers generally—might go and enjoy at will the free and pure air of the country mixed with the breezes that come, zephyr-like, up the winding creek from the bay and ocean beyond, and at the same time indulge in games and sports common to all places of resort of a similar kind. A large force of mechanics and gardeners was set at work; and these labors have never ceased, indeed are being still continued, and the result of them speaks for itself.

In the southeast corner of the park is a mammoth pavilion, covering a space of ground two hundred and twenty-five feet in length and ninety-five feet wide. The building faces the prevailing winds and breaks their force so effectually that none is felt inside of the inclosure. It is extensive enough for any purpose and is high enough to take in the magnificent views that may be had from its gallery windows, some forty in number. The width of the pavilion is ninety-five feet, and, besides, the galleries have a clear space of one hundred and three by eighty feet, for skating and dancing

purposes. On the park side this structure is fringed by clusters of oaks and ornamental trees of various kinds. The floor is double; on the north side seven large doors, eight feet wide, open on the grounds. In the south end of the main building are galleries, which with the side seats will accommodate two thousand five hundred persons. These seats do not seem to take up much of the great space of the interior. Opposite the galleries, which are built in the strongest manner, is the music-stand for the band, and facing it are the dressing-rooms, etc. Contiguous to the whole is a capacious bar-room. The grounds are fitted up with all manner of contrivances for purposes of amusement, and a capital race-track where fleet-footed runners are wont to test their powers, while every attraction of sylvan beauty is here to be found. Badger's Park was opened in April, 1872, and has since remained a most favorite place of resort.

MELROSE.—This station is situated about two miles from Brooklyn (East Oakland), and in close proximity to it is Clark's Landing, while two miles farther south is Damon's Landing. Melrose, however, is noted for once having been possessed of a fine rope-walk, the property of the Pacific Cordage Company, whose buildings are now in disuse; and it is the site of the Castle Dome Smelting Works, and the Pacific Reduction Works. Here, too, was established the works of the Pacific Drain Pipe Manufactory, an enterprise that has moved to a more congenial locality.

CASTLE DOME SMELTING WORKS AND REFINERY.—These works, located at Melrose, were commenced in the year 1870 by Judge Shearer, on a parcel of land purchased from Colonel Simpson, but before the buildings were completed they had passed into the hands of Whittier, Fuller & Co., who finished them. Two years thereafter they were disposed of to George Hopkins, who, in three years, sold out to the Anglo-California Bank. They then passed into the hands of Doctor Zieler, who conducted them for about two years, and, in 1879, they were acquired by the Castle Dome Smelting and Refining Company, with W. P. Miller, President, by whom the enterprise is now carried on. Here all ores may be smelted and refined; those chiefly being used at present are, lead, silver, etc.

PACIFIC REDUCTION WORKS.—This enterprise, for the reduction of gold and silver ores, is located at Melrose, and is owned and operated by H. C. Clark. The works were built in 1876 by Mainham, Cushtrel & Bandmann, and conducted by them until 1881, when they were purchased by the present proprietor.

FITCHBURG.—This like Martin Chuzzlewit's Eden, is simply a town of the future, at present it has only a prospect. Near to it is what was known as the Pacific Race-track, while it is favorably situated as regards Damon's Landing.

COTTON AND JUTE MANUFACTURERS.—In the year 1865 Col. William H. Rector, with three of his sons, erected a cotton-mill on the estuary connecting Lake Merritt with the San Antonio Creek in Brooklyn Township, with a producing capacity of forty thousand yards of goods per month. They soon enlarged their works by adding a set of woolen machinery, but, after about two years' operations, the gentlemen con-

ceived the idea of manufacturing grain-bags from jute, there being at the time a very large and permanent demand for such goods on the coast, as all the grain of the country, instead of being stored in granaries as in other parts of the world, was stacked in sacks at the thresher in the field where it was cut. In this enterprise the Messrs. Rector were entirely successful. After two years of untiring industry and perseverance a factory was set in motion with a producing capacity of fifteen million bags per annum, a sufficient advance that warranted the doubling its capacity, and which was duly effected three years afterward.

This establishment has been in operation some thirteen years, and in that period has produced about four hundred millions of bags, found employment for many men, and use for many hundreds of thousands of dollars. As a benefit to the country at large it shows that at the time of beginning operations bags were selling in the market at from fifteen to eighteen cents; that they were able to hold the market subject to their will and gradually reduce the price to nine and eleven cents. The manufacture of jute bags has now become one of the permanent institutions of the country, and notwithstanding the Messrs. Rector have retired from the business to more quiet pursuits in life, they have left their foot-prints in the progress of the country and a name which will long be remembered by those who have been benefited by their enterprise and genius.

In this regard, we may mention that, as we go to press, the *Evening Tribune* of May 9, 1883, has the following: "The jute-mill at East Oakland, which has been closed during the past six months, is to be re-opened and placed in active operation within the next thirty days, under the management of Superintendent Robinson, late of the San Quentin jute-works. Mr. Robinson states that the mill and machinery, which originally cost two hundred and eighty-five thousand dollars, were bought by the company which he represents, for one hundred and five thousand dollars, and it is their intention to operate on a capital stock of one hundred and twenty-five thousand dollars, seventy-five thousand dollars of which has been subscribed in San Francisco, principally by prominent dealers in grain-bags, and capitalists. As the works are to be located in this city, an opportunity will be given Oakland capital to invest to the amount remaining unsubscribed; and Mr. Robinson yesterday interviewed Mayor Martin, E. C. Sessions, Dr. Merritt, and other prominent citizens interested in manufacturing enterprises, in regard to the matter. The mill, Mr. Robinson says, will employ four hundred hands, all of which are to be white men, Chinese labor in every form to be discarded entirely. Two hundred of these employés, including a large number of skilled workmen, are on their way from the Eastern States, and the remaining two hundred are to be hired in this city. Mr. Robinson is himself thoroughly experienced in this kind of manufacture, and gave the San Quentin works their first impetus. He is enthusiastic in his plans, and predicts eminent success for the enterprise."

EDEN TOWNSHIP.

GEOGRAPHY.—Eden Township is bounded on the north by Brooklyn Township and Contra Costa County; on the east by Contra Costa County and Murray Township; on the south by Washington Township; and on the west by San Francisco Bay.

TOPOGRAPHY.—The western portion of the township, namely, the plain stretching from San Leandro Creek on the north to Alameda Creek on the south, is a beautiful tract of level country some four miles wide, whose area is covered with orchards and fields, the fore-shores being marsh-lands; while its back or eastern portion comprises the Contra Costa Range, with the lesser undulating foot-hills. Eden Township has an area of about sixty thousand acres.

VALLEYS.—The principal valley in the township is the Castro, which lies a little north of its center, and its opening to the plain being at Haywards. Besides this there are the Cull, Crow, Eden, and Polomares Cañons, all beautiful little glens surrounded by mountains offering rich pasturage to the stock-raiser.

STREAMS.—Eden Township is watered by the San Leandro and San Lorenzo Creeks, the former of which, rising in the San Antonio redwoods, Brooklyn Township, supplies the great reservoir of the Contra Costa Water Company—Lake Chabot—situated about two miles from San Leandro, and flowing thence is distributed through that town, as well as the whole city of Oakland, about twelve miles distant, and finally flows into the San Leandro Bay. The San Lorenzo Creek has its source in the Contra Costa Range near the county line, and, after flowing through Cull Cañon, joins its waters with those of the small streams from Crow, Eden, and Polomares Cañons, and thence lazily finds its tortuous way through the plain, finally emptying itself into the bay at Roberts' Landing. These two streams being never entirely dry, even in the severest years, a constant supply of water is ever to be had. In addition there are the small estuaries known as Mulford's Canal, at Wick's Landing; the Estudillo Canal, a little farther south; the San Lorenzo Canal at Roberts' Landing; Barron's Landing; and Eden Landing, which is entered from the bay by the mouth of the Alameda Creek, and reached by a serpentine creek or slough to the landing proper.

CLIMATE.—The climate of Eden Township bears a strong resemblance to that of other portions of the county lying at the base of the Coast Range, with perhaps the exception that the keen winds that sweep through the Golden Gate are not so harshly felt here as at Oakland and the northern end of the county. That its climate is much sought after is amply exemplified in the fact that Haywards is yearly becoming more distinguished as a sanitarium, while the vastness of the fruit yield proves the geniality of its temperature.



Yours Truly
E. Munyan

SOIL.—The soil of this section of the valley is not to be surpassed anywhere in the known world, while by the annual overflow of its creeks and sloughs, with the yearly deposition of sediment washed down from the mountains or brought in by the spring-tides from the bay, it is periodically being enriched. It is impossible to pick out one place more than another where Nature has been particularly beneficent, but if that place does exist, it is in the vicinity of San Lorenzo, and on the magnificent farm of the late William Meek, whose acre after acre of fruit-trees are a marvel to behold.

PRODUCTS.—The agricultural and horticultural resources of Eden Township, which first gave it its name, are almost fabulous, while its general industries may be briefly stated to be fruit-culture, farming, stock-raising, manufactures, salt-making, and coal-mining. Chief of all these, however, is fruit-raising, and the orchards of Messrs. Meek, Lewelling, Leonard Stone, Lysander Stone, Blackwood, Marlin, Jessup, Baker, etc., have reputations far beyond the borders of California. It is only by personal observation that the magnitude of this industry may be appreciated, while the immense area devoted to fruit trees gives one the idea of a vast forest rather than the simple orchards of private gentlemen.

Every portion of the township appears to be adapted to the cultivation of fruits, vegetables, and grain, while the higher ranges are eminently suitable for the rearing of stock, yet this branch has been by no means made a specialty in the township.

Although not so extensively manufactured in Eden as in Washington Township, still the manufacture of salt is in nowise of minor importance. The principal locality where it is made is Mount Eden, where there are the establishments of Richard Barron and John Johnson, while in the vicinity of San Lorenzo is the place of D. Pestdorf.

MEXICAN GRANTS.—Eden Township embraces within its boundaries the lands of five Mexican Grants, viz., the Sobrante, which has been for so many years in dispute, it being situated in the northeast of the township; the Estudillo, or San Leandro, granted October 16, 1842, and patented July 15, 1863; the Castro, or San Lorenzo, on the east, granted February 23, 1841, and patented February 14, 1865; the Soto, or San Lorenzito, on the west, granted October 10, 1842, and patented April 14, 1877; and the Vallejo, or Alameda, on the south, granted August 30, 1842, and patented January 1, 1858.

EARLY SETTLEMENT.—It is on record that the first settlement in Eden Township was made in the year 1836, by Don José Joaquin Estudillo, and in that section of the county did he reside until his death. He was a Californian by birth, and on January 8, 1837, petitioned the Constitutional Governor of the Department of California for a grant of a tract of land in the said department known as the arroyo de San Leandro, but this document having either been lost or mislaid, a second petition was forwarded to that official on June 28, 1842, in which Señor Estudillo states that "in order to procure his subsistence and enable himself to support his large family, consisting of a wife and ten children, after having served in the army seventeen years, four months, and seven days, on the eighth day of January, eighteen hundred and thirty-

seven, he petitioned for the tract of land known by the name of arroyo de San Leandro, containing four square leagues from east to west, and having obtained from Your Excellency, who extends a generous and protecting patronage towards the inhabitants of this land, permission to settle himself and continue his labors; meanwhile the proper legal proceedings thereupon should be concluded, which he has accordingly done;" etc. In view of the petition Don J. J. Estudillo was declared by Governor J. B. Alvarado to be the owner in property of the part of the tract of land known by the name of "San Leandro," bounded "on the north by the arroyo of San Leandro; on the east by the places where the waters from the springs on the lands which the Indians who are now established there occupy, waste themselves; thence on the south side, in a direct line to the arroyo of San Lorenzo, without embracing the lands which the said Indians cultivate; and on the west by the bay." It will thus be seen from the foregoing that the Estudillo family had lived on the land which was afterwards granted to them for a considerable number of years. In the year 1837 he built a house about two miles from the town of San Leandro, on the creek of that name, towards the lower part of the land. He afterwards moved farther up the creek, where the town of San Leandro now stands, about three quarters of a mile from the site of his original location.

On January 14, 1840, the Governor of the Department of California made the following order: "Don Guillermo Castro can establish himself upon the place called San Leandro, on the parts towards the hills, without passing beyond the line from north to south, formed by the springs on said place, not being permitted to make his fields in whatever part of all the land of 'San Leandro;' this concession being understood provisionally until the governor may settle the boundaries which belong to Señor José Estudillo, who is actually established on the said site, and without prejudice to the Indians living thereon." Thus we see the second settlement in Eden Township. He built his residence where now is the town of Haywards.

The next Hispano-Mexican family to locate was that of the Sotos, who built their adobe residence on a part of what is now the Meek estate, where the house stood for many years, but was eventually razed to the ground, its position being at present occupied by a Portuguese tenant, about half a mile southeast from Haywards.

Prior to the settlement of these families the district was occupied by the cattle of the mission of San José, and, from the year 1829, had in certain portions been in the possession of Christianized Indians of that establishment. In 1841 or 1842 there was an Indian named Sylvester, on the San Leandro Rancho, who had residing with him, besides his own family, his brother Annisetti. They occupied an adobe house built by Don J. J. Vallejo, who was administrator of the Indians, and where they had some three or four acres under cultivation, chiefly watermelons and corn, the ground for which they turned up with sticks; besides these there were some others on the other ranchos, while a Californian named Bruno Valencia, dwelt under permission of Estudillo and Castro on the bank of the San Lorenzo, not far from the bay. It may be stated that at this period there was a so-called road through this territory to San José, which had three crossings over the San Lorenzo: the Paso Viego, the Paso del Ramedero, and the Paso del Puente, and at the first of these during the summer months the Indians were wont to camp in a grove of willows and sycamores.

Let us now see what became of these pioneers. Don José Joaquin Estudillo died June 7, 1852. During his life he had filled many high offices in the gift of the Mexican Government. In his last will and testament, which bears date April 4, 1850, he declared that he was married in the year 1824 to Donna Juana Maria Del Carmon Martinez at the Presidio of San Francisco, by whom he had six sons and five daughters. Of these nine were alive at the time of his death. A large portion of the Estudillo lands have passed into the hands of foreigners, but the family still retain a fair share of the patrimony. Upon the establishment of the county seat at San Leandro, they made many concessions towards retaining it there, while their residence was at one time occupied as the Court House. Many years ago Guillermo Castro, having lost his possessions, went to South America, and there died. His son, Luis Castro, has since gained prominence as County Surveyor of Alameda. And of the Soto family we may also say that the land which knew them once knows them no more.

Prior to the epoch of the discovery of gold at the mill of Captain Sutter, these were the only residents in Eden Township, and we can learn of but one foreigner that, anterior to this time, had attempted to locate himself permanently within its confines. In the year 1845 the late James Alexander Forbes, who died in East Oakland a few years ago, was authorized by Bezar Simons, at the time Captain of the American ship *Magnolia*, to purchase a tract of land for him on the Bay of San Francisco, and just before his departure from the port both the Captain and Mr. Forbes crossed the bay in a ship's boat to San Leandro to see if the purchase of the rancho could be effected from Estudillo, who, however, was averse to sell. He declined the offer of ten thousand dollars made by Simons, stating that he would not take double the sum, as he wanted it for his family, and thus the master of the *Magnolia* was obliged to give up these fair acres, the acquiring of which would to-day have made him or his heirs among the wealthiest landed proprietors in the country.

Subsequent to this, we have been informed, John B. Ward, who had married Melina Concepcion, eldest daughter of Don J. J. Estudillo, took up his abode in the township, but in what year we cannot state.

We have heretofore made mention of the immense quantities of wild-fowl that then made the sloughs and marshes their home. These brought almost fabulous prices in the first and palmiest days of San Francisco in the markets there, and many of those men who had occupied their time during the summer months in the mines, turned their attention in winter to killing game for the city commission merchants, and positively made more money in this way than they did at gold-digging. It was in the search for game that the first settlers came to Eden Township.

1849.—In the month of December, 1849, there crossed the bay in a whale-boat, with baggage and guns, Thomas W. Mulford and Moses Wicks, both still residents of the township; the late A. R. Biggs, of San Francisco; E. Minor Smith, the present and for many years past Assessor of Alameda Township; and W. C. Smith, who, landing on the shore in the vicinity of the Estudillo mansion, there pitched their tent and commenced a war upon the feathered denizens of the marshes. At this date Mr. Mulford thinks there was no permanent foreign settler, and no houses save those

of the Spaniards mentioned above, an Indian hut where the graveyard at San Lorenzo now is, and an Indian rancheria on the site at present occupied by the County Hospital.

This party dwelt in a tent pitched on the shore, and in the spring of 1850 erected a "ten by twelve" cabin which was used as a cook-house, subsequently adding a chimney thereto of brick taken from a pile which had been thrown into the bay—the refuse of those used in the construction of the new Estudillo house. The cabin stood on the margin of the bay in close proximity to Mr. Mulford's residence, but its site has long since been washed away by the rolling surf of the bay. In the spring of 1851 the dwelling-tent gave place to a cabin, and there it remained on the original location until 1876, when it was bodily removed to its present position among Mr. Mulford's farm-buildings, it being used as a blacksmith-shop on his premises.

That winter, and also in quest of game, another party located at the mouth of the San Leandro Creek, consisting of Bob Smith, Steve Smith, a Mr. Solomon, and some others, but we do not learn that they ever did more than hunt in the locality.

1850.—In the spring of 1850 we hear of a field of wheat, about ten acres in extent, put in by Señor Estudillo and some Sonorians, which gladdened the eyes of the few Americans then roaming about the district. This green oasis amid the apparently sterile region is described to us as having been at the lower end of Lewelling's place near the Hayward's road, where the Sonorians aforesaid also had a dwelling. But this was by no means the first cultivation of the cereals in Eden Township, for the Spaniards, we have already remarked, sowed wheat, planted corn, and raised watermelons on their first taking possession of their grants, but only in sufficient quantities to provide for their own households. In the will of Don J. J. Estudillo, which we have already quoted as having been signed in this year, he says: "I declare that I leave at different places on the rancho three fields sown in barley, in company with Don Guillermo Davis—one with Mexicans, and another with Sonorians (possibly the field of which Mr. Mulford speaks)—of which contracts exist, written agreements signed," etc. In addition to this branch of agriculture the industry of stock-raising was still prosecuted with energy, there being on the Estudillo Rancho alone, in 1850, three thousand head of cattle, more than that number of sheep, and fifty horses of all classes.

In the month of October, 1850, Captain William Roberts came to the township and established himself at Roberts' Landing, then known as Thompson's, whence he commenced freighting with small craft to different points along the bay. His suit was soon after followed by Captain Chisholm.

1851.—In the fall of 1851 William Hayward came to the township and first located on what he had been told was land belonging to the Government in Polomares Cañon, but which he was quickly informed was the property of Guillermo Castro, who, however, suggested his removing farther down the valley. This he did, and early in the following year, 1852, located on the land now occupied by A Street, Haywards, immediately in front of his hotel, and there erected the first building in the flourishing town that bears his name.

1852.—During this year the squatters took possession of the entire plain, and what is now San Lorenzo was known as Squatterville. They found their chief attractions apparently on the Estudillo Rancho, for it was to that portion of the township that their attentions were principally turned. The rancho was believed to be Government land, and it was not until after years of litigation that the squatters were disabused of this belief. Among those who had taken possession of part under such an idea was one Franklin Ray. He had erected a dwelling-house in the vicinity of San Leandro, on the land now occupied by R. S. Farrelly, and on being warned off, refused, when, on March 21, 1852, the owners of the rancho tore down the building, to recover the value of which, namely, three hundred dollars, he brought suit. This was only one of many cases of the same nature.

With this great influx of people came many of those whose names are now among the most honored in the county. There were Robert S. Farrelly, William C. Blackwood, Messrs. Crane, Kennedy, McMurtry, Campbell, Harlan, and Johnson. They were followed in 1852 by Fritz Boehmer, Charles Duerr, William Field, George Meyer, Alexander Patterson, Joel Russell, and John Johnson, who all settled in the vicinity of Mount Eden, which up to that time had been entirely unoccupied. As having located in the township in 1852, there are the names of Peter Olsen, John W. Jamison, Alexander Allen, and Liberty Perham, all good men and true, indeed, it may be said that with this year Eden Township had its commencement; it then fell into the channels of trade in which it runs to-day.

It is thought that in this year Guillermo Castro made the first step in the downward path leading towards loss of lands and eventual poverty. We learn that he took with him a sum of ready money amounting to about thirty-five thousand dollars to the southern counties, wherewith to purchase new stock, intending to drive them northward to his rancho, but, alas for frail humanity, he succumbed to the voice of the tempter and frittered his money away in card-playing, the plague-spot upon every native escutcheon. The consequence was that he made not the intended purchases, but returned without the "new blood," the infusion of which into his old stock that was so much needed, and eventually, in 1856, he was compelled to mortgage his estate. Piece by piece the lands were brought to the hammer, and finally, in 1864, they passed entirely into the hands of the late Faxon D. Atherton, of Menlo Park, San Mateo County, who gave Castro thirty thousand dollars for them, with which amount he went into a self-inflicted exile in South America.

1853.—The year 1853 is memorable as that in which the county of Alameda was created, and the establishment of its capital in Washington, the contiguous township to that now under consideration. Among the gentlemen who made their homes in Eden in this year are Henry Smyth, George S. Meyer, Tim. Hauschildt, David S. Smalley, Joseph De Mont, J. F. Elliott.

In a conversation held with the two last-named gentlemen, they informed us that when they came in the summer of that year they found the land now occupied by R. S. Farrelly in the possession of Franklin Ray, while there were in the vicinity John Huff and William Mahoney; E. D. Mann resided on the property now owned by John B. Ward and the estate of John Mathews, Thomas W. Mulford, Moses Wicks, Will-

iam Smith, and E. Minor Smith were near the bay, and Emerson T. Crane on the San Lorenzo Creek.

1854.—The chief event in 1854 was the surveying of a town site at what has since become Haywards, under the directions of Guillermo Castro, a sign that the residents were beginning to look for nearer means of purchasing supplies than Oakland, San José, or San Francisco. In this year the number of citizens was augmented by the arrival of Supervisor J. B. Marlin, Joseph H. Taylor, Frederick Schweer, Jacob Schilling, and of course many others whose names we have been unable to gather.

From this year onward to the present time the growth and prosperity of Eden Township has been wonderful. In the next decade the population increased many fold. The names of those arriving which we have been able to gather are as follows: in 1855—Richard Barron, Joseph Graham, Josiah G. Bickell; in 1856—William Knox, Otis Hill, Frederick Wrede, John Wille, Conrad Liese, Ferdinand Schultz; in 1857—W. T. Lemon; in 1858—Maas Lueders, W. H. Miller; in 1859—Watkin W. Wynn; in 1860—N. D. Dutcher, John W. Clark; in 1861—Frederick Brustgrun, A. P. Rose; in 1862—Duncan Sinclair, O. W. Owen, A. W. Schafer; in 1865—E. B. Renshaw, and, naturally, hundreds besides.

He who journeyed from old San Antonio thirty years ago would have found between that spot and the Mission San José only about four houses, residences of the then lords of the land, while the valley itself was in a state of nature, without a furrow in the soil, but thousands of cattle roaming over it and "upon a thousand hills!" Behold the scene now! Upon the beautiful hills flanking it on the east, and all over the valley itself, are magnificent, wide-spread fields, in a high state of cultivation; elegant mansions and handsome cottages; meadows, orchards, and vineyards; schools and colleges, and numerous churches, whose spires pointing heavenward seem on fire in the blaze of the declining sun. Towns and villages, beautiful San Leandro, San Lorenzo, Haywards, and Mount Eden, all enveloped in a wealth of splendor. Indeed the progress of this State of ours has been a marvel, and in no portion of it has its advance been more rapid than in Eden Township.

HAYWARDS.—This beautiful town is situated in the undulating foot-hills of the Contra Costa Range at the mouth of Castro Valley, and having a considerable altitude commands a view of unsurpassed loveliness over a large extent of territory. Its splendid climate has been the cause of its rapid growth and prosperity, and each year brings to it a larger influx of visitors than the last in search of health and relaxation. A residence at Haywards during the summer months is especially enjoyable, its environs being beautiful, and its air health-giving. It is but fourteen miles distant from Oakland, with which it is connected by rail, and is therefore within easy access of San Francisco.

Haywards is located on the San Lorenzo Rancho, whose proprietor, Guillermo Castro, had his residence within the town limits, and who, in 1854, had a town site surveyed and platted there. It takes its name, however, from its first American settler, William Hayward.

That most courteous and favorite pioneer informed us that after leaving the Polo-

mares Cañon he came to the present site of Haywards and pitched his tent in the early part of the year 1852, on a position over which now passes A Street, and midway between his present hotel and the house opposite, which he has amalgamated with it. The location was about forty rods northwest from the residence of Castro, which, it may be mentioned, was destroyed by the great earthquake of October 21, 1868. He there engaged in farming, having purchased some kine from the late James B. Larue, who had a milk-ranch near Mission Dolores, San Francisco, and, opening a small store, with improvised hotel accommodation in connection therewith, was the actual pioneer of the town. During this time he still dwelt in his tent. In the fall of 1852 he erected about thirty feet of his present long house, and as travel increased, for the stage from Oakland to San José changed horses here, the popularity of his hostelry went upwards, and in 1854 he was compelled to make an addition by putting a front to the building, while it may truly be said that additions have been made continually ever since.

Late in 1852, or early in the following year, two houses were erected by Joseph Worrell and some Sonorians, near where Wolf's store now stands, and a little later, close to these, on B Street, a blacksmith shop was opened by Mr. Finch, who is still a resident of the town.

About the year 1855, a school house was erected on the land now occupied by J. C. Strobridge, where it remained until 1864, when it was moved into the town; and prior to the year 1861, when the Congregational church was built, divine worship for all denominations was held in Hayward's Hall.

Since that time the town has increased most rapidly, while its well-kept streets, beautiful buildings, and general thrifty appearance are a credit to its inhabitants.

1876.—On March 11, 1876, the town of Haywards was incorporated under the laws of the State, with the following boundaries: "Beginning at the westerly corner of J. W. Bolce's land, and immediately on the northeasterly line of the County Road from Haywards to San Leandro; thence along Bolce's northwesterly line to a point on the left or southerly bank of San Lorenzo Creek; thence following up the meanderings of the left or southerly bank of said creek to the line dividing the land of M. Creery and J. W. Webster; thence southeasterly along said dividing line to the northerly line of the County Road; thence across the County Road to the northwesterly corner of Correia's land; thence easterly along said Correia's land to the northeasterly corner thereof; thence southerly along said Correia's land to the northeasterly corner of Thompson's land; thence southeasterly along said Thompson's land to the northerly line of Cemetery Avenue; thence westerly along the northerly line of said avenue to a point where the easterly line of N. Rasmusen prolonged intersects the same; thence southerly along the southeasterly line of said Rasmusen's land to the easterly corner thereof; thence westerly along the southeasterly line of Rasmusen, Collins, and Pimentel, to the northeasterly corner of Pell's land; thence southerly along Pell's land to the southeasterly corner of the same; thence southwesterly to the southeasterly corner of land of Stroble and Neudeck; thence westerly along Stroble and Neudeck's line to a point where it is intersected by the westerly line prolonged of Saint Joseph Cemetery, thence southerly along the northerly line of said cemetery to the northerly

or right bank of Sanjon Creek; thence following down the northerly or right bank of said Sanjon Creek to the easterly line of the County Road from Haywards to Mount Eden; thence easterly along the easterly line of said road to a point opposite the northeasterly corner of J. M. Alexander's land; thence northwesterly, crossing said road, to the last-mentioned corner; thence southerly along the westerly line of said road to the southwesterly line of the Central Pacific Railroad's right of way; thence along the southwesterly line of said right of way to a point where the same is intersected by the northwesterly line of Haywards Avenue; thence northeasterly along the northwesterly boundary of Laurel School District; thence northerly along said boundary to the place of beginning." The government of the town, which was incorporated as *Hayward*,* was vested in a Board of five Trustees, an Assessor, Clerk, Marshal, Treasurer, and Justice of the Peace; and on May 8th the first Board of Trustees met, when the oath was administered to John Manzer, J. D. Austin, Joseph Pimentel, T. A. Cunningham, and L. Linekin, as Trustees; John Wootten, Assessor; W. W. Allen, Clerk; George H. Horn, Marshal; George Brown, Treasurer; Samuel Wootten, Justice of the Peace. Mr. Manzer having been chosen President and Joseph Pimentel Clerk *pro tem.*, the proper committees were appointed, and an ordinance passed fixing the amount of the official bonds of the town officers, regulating licenses, and appointing place of meeting, the time being fixed on the 12th May as the first Tuesday in each month. On this last date the Trustees passed a resolution that a survey of that part of Haywards as is included in the map of Castro, recorded in the Clerk's office in 1856, should be made, the map of this survey being adopted on January 6, 1877.

At the meeting of the Board, held at the Planter's House on June 9th, it was directed that plans for a jail should be procured, and the purchase of a place whereon to build it was reported consummated on July 14th; while, July 28th, it was ordered that Mr. Mastick be employed to prosecute the suit brought by the Board of Trustees for a title to the plaza. On the 17th November, Castro Street, between Pierce and Webster Streets, was ordered to be graded, and on December 22d the like work was directed to be proceeded with on Calhoun Street, between Castro and Main Streets.

1877.—On May 7th of this year the annual election of town officers was held with the following result: John Manzer, T. A. Cunningham, J. D. Austin, L. Linekin, Joseph Pimentel, Board of Trustees; Alexander Allen, Assessor; W. W. Allen, Clerk; George H. Horn, Marshal; George Brown, Treasurer; William Whidden, Justice of the Peace; while, at this date, Luis Castro was acting as Engineer and Surveyor, and, on July 21st, the municipality adopted a town seal.

On August 3d, Asa Collins being Chief Engineer of the Fire Department, Hook and Ladder Company, No. 2, tendered their impedimenta to the town, provided that it would become responsible for the debts of that corps, amounting to about thirty-five dollars, which was duly accepted. On the 7th September, Castro Street, between Webster Street and the Mount Eden Road, was ordered to be graded; on October 1st the municipal tax for the year 1877-78 was fixed at fifty cents on each one hundred dollars' worth of property, and on the 5th of the same month Joel Russell was appointed to be Town Attorney.

* The Post-office is officially called *Haywood*.



David S. Smalley

1878.—On the 8th of February the following thoroughfares were ordered to be graded: B Street, between Main and First Streets; First Street, between B and C Streets; and C Street, between First and Main Streets. The right to lay water-pipes through the town was granted to Joseph Pimentel on March 1st, for a period of twenty years; while, May 6th, the following officials were elected: H. F. Larrabee, William Brown, H. Strong, L. Linekin, John Hunt, Board of Trustees; George H. Horn, Marshal; Julius Volkerts, Clerk; Charles Puff, Assessor; B. Haas, Treasurer; William Whidden, Justice of the Peace. June 7th, Pierce Street, between Castro Street and the line of William Meek's land, was ordered to be graded and macadamized; on the 7th October the municipal tax was fixed at thirty-five cents on each one hundred dollars' worth of taxable property; and on November 15th, William Hayward was elected Justice of the Peace for the town.

1879.—At the meeting of the Board of Trustees, held January 3d, provision was made regulating the building of dwelling-houses, stores, etc., having stove-pipes passing through the roof, within certain limits; on February 19th it was decided to grant quarterly licenses to auctioneers; and, on the 28th of the same month, it was ordered that a tax of one dollar upon every male, and two dollars upon every female dog in the town should be levied, while all dogs found at large without "tags" were directed to be impounded under date March 7th.

On April 4th a Board of Health was created and the following appointments to it made: Doctor Smith, F. Hinckley, Mr. Thorndike, Ch. Hermann, and John Paine. On the same date William Brown, D. Salmon, and, Ch. Winter were appointed Fire Commissioners; and on May 5th the following corporation officers were elected: L. Linekin, William Brown, H. F. Larrabee, John Walpert, T. A. Cunningham, Board of Trustees; George H. Horn, Marshal; F. M. Dallam, Clerk; G. Brown, Treasurer;—Woodman, Assessor; William Hayward, Justice of the Peace.

On May 19th it was directed that the meetings of the Board of Trustees should thenceforward be held on the first Saturday of each month in the American House; and on the 24th, D. S. Smalley and George C. Baxter were appointed Fire Commissioners. On June 7th, J. D. Austin was chosen Justice of the Peace; on the 9th, Joel Russell was appointed to the duties of Town Attorney; and on the 21st the purchase of a fire-engine was ordered. August 8th, according to the financial statement of the Town Treasurer, the balance in the treasury was one thousand seven hundred and seventy-two dollars and ninety-seven cents. Under date September 13th we find the appointment of R. H. Goodwin to the office of Town Surveyor, *vice* Hinckley, resigned; on the 6th of October the municipal tax was fixed at twenty-five cents on each one hundred dollars' worth of taxable property; while, December 20th, certain citizens petitioned that an ordinance should be passed in regard to boys under eighteen years of age being on the streets and in saloons after night, a curfew enactment being made accordingly.

1880.—On January 5th a new fire organization was established, the town being, on June 2d, divided into four fire districts. On the 16th, Hayward Fire Company, No. 1, gave its apparatus and building to the corporation; while, July 7th, the follow-

ing Fire Commissioners were appointed: First District, D. Salmon; Second District, P. Keating; Third District, George C. Baxter; Fourth District, Charles H. Barnes.

The municipality elected on May 3, 1880, consisted of L. Linekin, L. H. Brown, John Walpert, William Brown, D. Luce, Board of Trustees; Charles Puff, Assessor; F. M. Dallam, Clerk; George Brown, Treasurer; George H. Horn, Marshal; J. D. Austin, Justice of the Peace; the day of their meeting being changed, on May 10th to Wednesday evening.

1881.—At the election of town officers, held on May 4, 1881, the following officials were chosen: L. Linekin, William Brown, D. Luce, John Walpert, William Hayward, Board of Trustees; A. R. Hale, Assessor; F. M. Dallam, Clerk; A. H. Trueworthy, Marshal; L. H. Brown, Treasurer.

Upon receipt of the intelligence of the death of President Garfield, the Board of Trustees, in meeting assembled, passed the following condolatory resolutions:

WHEREAS, The Nation is bowed down in grief and anguish at the death of our greatly honored, respected, and beloved President, James A. Garfield, who was cut off in the very prime of a grand and noble life, and upon the threshold of an administration that was bright with the promise of peace, happiness, and prosperity to the whole people, irrespective of section, party, or race; a misfortune brought about by the venomous attack of a cowardly assassin, who, in striking the representative of the people, has smitten the very heart of the Republic. And

WHEREAS, It has been ordained through a proclamation, issued by Governor Perkins, that the People of the State of California shall show their respect for the departed President by assembling at their respective places of worship on Monday, September 26, 1881, the day designated for the funeral ceremonies, then and there to join in appropriate services. Therefore be it

Resolved, That we, the Board of Trustees of the town of Haywards, recognizing the irreparable loss sustained by the death of our Chief Executive, take this means of expressing our heart-felt sympathy and grief in this their hour of darkness and affliction, to the aged and gray-haired mother, the heroically-devoted wife, the orphaned children, and to our fellow-men.

Resolved, That we suggest to the citizens of Haywards the propriety of closing all places of business on Monday, September 26, 1881, and observing it as a day of humiliation and prayer.

Resolved, That as a token of respect to the memory of the deceased the Town Hall be appropriately draped in mourning for thirty days.

On October 3d the municipal tax for the year 1881-82 was fixed at thirty cents on each one hundred dollars' worth of taxable property, and November 2d certain citizens petitioned that the Sunday Law should be enforced.

1882.—On the 3d of May the following gentlemen were chosen the municipal officers for the year: J. T. Dille, L. Linekin, Asa Collins, George A. Goodell, Chris. Meyer, Board of Trustees; A. R. Hall, Assessor; F. M. Dallam, Clerk; A. H. Trueworthy, Marshal; L. H. Brown, Treasurer; J. D. Austin, Justice of the Peace. The tax for the year 1882-83 was regulated on the 11th October, and fixed at forty cents on each one hundred dollars' worth of taxable property; while, December 6th, George A. Oakes was appointed Town Clerk, in the place of F. M. Dallam, resigned.

1883.—On February 7th of this year a franchise was granted to bring water through the town of Haywards, from Tuolumne River, by the Tuolumne Water Company, this being the last item in the records when they were most courteously placed at our disposal.

The population of Haywards is about twelve hundred, and although it is not a manufacturing center, its busy streets and handsome stores speak well for the people and the town. It has three churches—a Congregational, a Methodist, and a Catholic, histories of which we have been unable to obtain; while its school is in a most flourishing condition, and the building an ornament to the place. The hotel accommodation is first-class, and its two newspapers—only one of which is printed in the town—have a considerable circulation in the surrounding district.

ALAMEDA ENCAMPMENT, No. 28, I. O. O. F.—This Encampment was originally instituted in Alvarado, April 4, 1868, and organized by H. C. Crowell, of San Francisco, with the following charter officers: E. H. Dyer, C. P.; E. Dyer, H. P.; D. C. Owen, Scribe; M. W. Levy, S. W.; D. S. Smalley, Fin.; J. Sulz, J. W. On November 28, 1868, they removed to Haywards, where it has since remained. The present membership is thirty-seven, while the officers for the current term are: Henry Meinenger, C. P.; George W. Frick, H. P.; G. A. Goodell, S.; C. Sanderson, S. W.; L. Linekin, T.; P. J. Christensen, J. W. The lodge, which is in a flourishing condition, meets on the second and fourth Thursday of each month, in Odd Fellows' Hall.

SYCAMORE LODGE, No. 129, I. O. O. F.—This Lodge was organized on October 30, 1866, by District Grand J. N. Randolph, with the following charter members: A. L. Fuller, William Knox, William Meek, William Roberts, William C. Blackwood; and with these gentlemen as charter officers: A. L. Fuller, N. G.; William C. Blackwood, V. G.; William Meek, Treasurer; William Roberts, Rec. Sec.; William Knox, Per. Sec.; A. L. Rockwood, Warden; J. W. Josselyn, Con.; David S. Smalley, I. G.; G. E. Smith, R. S. N. G.; Joseph Graham, L. S. N. G.; J. M. Costigan, R. S. V. G.; George Brown, L. S. V. G. The Lodge at once became popular, and, at its second session, no fewer than nineteen names were added to the roll. The present membership is ninety-six, and the following are the officers for the current term: Daniel Chisholm, P. N. G.; Thomas Hellar, N. G.; H. H. Hamer, V. G.; B. F. Thomas, Rec. Sec.; C. Christensen, Per. Sec.; G. A. Goodell, Treas. The financial condition of the Lodge is most excellent; and it meets every Monday night in Odd Fellows' Hall, a large two-story building, erected on Calhoun Street in 1868, at a cost of seven thousand five hundred dollars. It was dedicated with proper ceremony, April 30, 1869, the evening being wound up with a grand ball.

HAYWARDS LODGE, No. 18, A. O. U. W.—This Lodge was organized January 19, 1878, with the following charter members: J. D. Austin, F. F. Allen, W. W. Allen, J. G. Cooper, Asa Collins, F. M. Dallam, F. C. Jessup, Rev. S. Kinsey, M. C. Hamer, Charles Prowse, E. O. Webb, George A. Whidden, D. W. Spoerer, the accompanying being the charter officers: Asa Collins, P. M. W.; George A. Whidden, M. W.; E. O. Webb, F.; F. C. Jessup, O.; F. F. Allen, G.; F. M. Dallam, Rec.; J. G. Cooper, Fin.; James D. Austin, Recr.; M. C. Hamer, I. W.; D. W. Spoerer, O. W. There are at present sixty-seven members on the roll, while the following gentlemen are the officers for the current term: S. L. Cunningham, P. M. W.; A. M. Bullock, M. W.; William Dale, F.; G. P. Carpenter, O.; J. Brown, Rec.; J. C. Baxter, Fin.;

G. A. Goodell, Recr.; A. Bradford, G.; Charles Barnes, I. W.; C. Herman, O. W. Lodge meets every Tuesday evening at Lucas Hall, and is in a flourishing condition.

HERCULES COUNCIL, No. 139, O. C. F.—This Council of Chosen Friends was organized February 17, 1883, with the following charter members: H. M. Federson, A. H. Trueworthy, Chris. Peterson, Axel Seebury, Charles H. Pratt, J. J. Sandholdt, J. E. Wooten, H. H. Sorensen, John Lane, George Reavey, Frank Clark, W. E. Miller, E. Nicholson, P. Keating, H. Frost, C. Hoosen, Mrs. K. Sorensen, Mrs. K. Sandholdt, Mrs. M. Peterson, S. Donaldson. The original officers, who are those at present in office, are: J. E. Wooten, C. C.; P. Keating, V. C.; C. H. Pratt, P.; Axel Seebury, P. C. C.; H. Trueworthy, Mar.; J. J. Sandholdt, W.; F. Clark, G.; J. Lane, S.; H. H. Sorensen, Treas.; W. E. Miller, Sec. Meets every Tuesday night in Odd Fellows' Hall, the Society being in a flourishing condition.

THE HAYWARDS WEEKLY "JOURNAL."—This newspaper was founded in 1877, by Charles Coolidge, who, after publishing it about a year, disposed of it to Frank M. Dallam, who conducted it until November 25, 1882. During the management of this last-named gentleman the *Journal* steadily increased in circulation and influence, while as an advertising medium it has no superior among the interior weekly newspapers of Alameda County. In November, 1882, the plant was purchased by George A. Oakes, who has grown up in Haywards, and is the present editor, publisher, and proprietor.

NEW YORK BREWERY.—This enterprise was started in the month of September, 1866, by John Booken and Henry Hulm, under the style of Booken & Hulm, an association that continued about two years, when the interest of the last-named gentleman was purchased by Jacob Denmark, who seceded in 1871. The original premises stood on the site of the present brewery, and occupied a space of thirty by sixty feet. It had a brewing capacity of about ten barrels only. On October 17, 1872, it was destroyed by fire, and the handsome edifice now in use, erected immediately thereafter. It is composed of wood and brick, has a frontage of forty feet on A Street and ninety-six feet on Third Street, and consists of brewing-house, malt-kiln, etc., being complete in all its details. In 1875 Chris. Hermann became a partner in the concern, but in 1881 he severed his connection with it, since when it has been conducted entirely by Mr. Booken. The yearly manufacture is from fifteen hundred to two thousand barrels, for which ready sale is found in the surrounding counties.

LYONS BREWERY—This establishment was built by Charles Lyons, and in 1874 passed into the hands of the present proprietor, L. Palmtag. This is all the information that could be obtained from the owner of this establishment, who is evidently one of those individuals that sees in every person armed with a note-book the dreaded tax-collector.

EDEN LANDING—This landing was originally established in the year 1850, by an association of farmers, who called themselves the Mount Eden Company. In

1855 Captain Richard Barron came to the place and erected warehouses, carrying on a considerable business. In 1860 he put on the steamer *Poco Tempo*, to ply between this spot and San Francisco. She was succeeded by the *Mount Eden*, who gave place to the *Ellen*; after her came the *Emma*, but finding the carrying capacity of these too limited, he built the present *Mount Eden* (steam-boat), of seventy-six tons, and a capacity of one hundred and sixty-five tons dead weight, which plies to San Francisco, in connection with the Barron Warehouse only. Near Eden Landing are the Barron Salt Works, where, in the year 1882-83, upwards of a thousand tons of salt were manufactured.

MOUNT EDEN.—This is a small village on the road from San Lorenzo and Alvarado, and receives its name from an elevation in the plain on which it is situated, but there is nothing that could by the highest imagination receive the name of a *mount*. The first settler in the vicinity was John Johnson, the present proprietor of Mount Eden Grove, whither he came in 1852. About a year later the first houses in the village were built, and a store was opened by Mr. Shiman of San Leandro, a house of entertainment being also started by a man named Peterson.

Near Mount Eden is Eden Landing, and the salt-works of Captain Barron. In 1853 John Johnson commenced the manufacture of salt in a small way on the marsh fronting on his property, and in 1854 shipped his first load—twenty-five tons—to San Francisco, it being carried in the small coasters that then called at the different landings around the bay for the general produce of the country. His salt interest has since grown until now he has two schooners, the *Augusta Johnson* and *Energetic*, in the trade, while his annual shipments amount to between fifteen hundred and two thousand tons.

MOUNT EDEN GROVE.—This is a well-arranged picnic-ground the property of John Johnson, where he has accommodation for visitors; a well-arranged bar, a good dancing-floor, and all necessary comforts. It is a favorite resort for sportsmen in the hunting season, the marshes being the home of wild-fowl in abundance.

SAN LEANDRO.—This beautiful little town, the former county seat of Alameda County, is distant from Oakland about nine miles from which there is a splendid road, besides direct communication by railway. It is situated in the valley on the bank of the creek from which it receives its name and is possessed of so rare a fertility that every kind of produce matures most rapidly. This being the case it is embowered with trees whose wide-spreading branches make it one of the most sylvan retreats in the county. Neat houses, ample grounds, and well-kept gardens testify to the thriftiness of the inhabitants, while its wide and clean streets are a credit to its authorities. Such thoroughfares as Ward Avenue, a mile long, leading to the foot-hills are a credit to any place and is such an ornament as would enhance the beauty of a more ancient city.

At the commencement of this chapter it has been shown that the first settlement in San Leandro was made by Don José Joaquin Estudillo, who although he only obtained his grant in 1842 had resided on the land for several years previous to that date. This family, several of whose descendants still reside in the town and neigh-

borhood, dwelt there until the time of the American occupation. Their house in 1850 was about the only one on the present town site, indeed, in 1855 there were but three buildings within what are now the incorporated limits of the town of San Leandro, namely, that of the Estudillo family, the same that was burnt in that year; the present Estudillo Hotel, which was erected in the spring of that year; and a saloon and stage station, kept by Charles Ray, which was built, it is thought, in 1851, on the site of the Central Manufacturing Company's premises.

The next house to go up was in the winter of 1855-56 by Jim Taylor for Mr. Hirschfeldter who started a store therein, but which he sold at the end of two years to E. D. Block. This building still stands at the corner of Watkins and Ward Avenues. In 1856 the building now occupied by J. F. Elliott was erected by Dan McMillan, now of San Francisco, while in the same year a school house was built near the site of the Catholic Church.

With San Leandro as the county seat we have dealt in the chapter on the Legislative history, to which we refer the reader. It was established originally where now stands Martin's restaurant, after which it was moved to the site at present occupied by the convent, the block being donated by the Estudillo family for the especial purpose.

In the early days San Leandro was one of the stage stations between Oakland and San José, the line being owned by Charles McLaughlin, and the stage being for some time driven by the famous Charley Parkhurst, who, it may be remembered, was proved to be a woman, the secret being revealed by death.

It may be said that with being deprived of the advantages of being the seat of justice of Alameda County, it remained at the size which it then was, and although it may not have lost its natural attractions in point of extent or population it has not much increased. Let us therefore pass to the year wherein it took upon itself the dignities of the "Town of San Leandro."

1872.—In the month of February, 1872, a meeting of the citizens of San Leandro was held for the purpose of taking into consideration the matter of incorporation, when, the subject meeting with general approbation, a committee consisting of I. A. Amerman, A. T. Covell, Socrates Huff, Stephen G. Nye, and J. H. Putnam were appointed to draft an act of incorporation. The act was duly approved March 21, 1872, when the limits of the town of San Leandro were defined to be as follows:—

Commencing on the southerly bank of the San Leandro Creek where the easterly line of lands of Michael Donovan intersects the same; thence southerly along the said line to the center of the county road leading to Halversen Landing; thence south twenty-eight degrees east across lands of Wm. Able to the lands of John B. Ward and his children; thence northeasterly and southeasterly, following the boundary lines of said Ward's lands, to the eastern corner thereof; thence southeasterly along the dividing line between the lands of Patrick Murnane and Maria Dolores Cushing to the southerly corner of said Murnane's land; thence northeasterly along the line of said Cushing tract to the westerly line of the Watkins-street County Road; thence along said line of said road to where the dividing line projected between the lands of James Durnan and Silas McClure intersects the same; thence following the dividing line between said McClure and Durnan and between said McClure and R. A. Mc-

Graw's lands projected to the southwesterly line of lands of John Carroll; thence following said line projected to the southeasterly line of what is known as Maud Avenue; thence following the southeasterly line of Maud Avenue to the northeasterly line of Santa Clara Street; thence along said line to the southeasterly line of Juana Avenue; thence along said line of Juana Avenue to Grand Avenue; thence following Grand Avenue to Ward or Estudillo Avenue; thence at right angles to said last-named avenue to the southerly bank of the San Leandro Creek; thence following down said bank of said creek to the place of beginning.

On May 13, 1872, the first meeting of the town officers elect was held, when there were present, Joseph Collingridge, I. A. Amerman, A. T. Covell, Socrates Huff, Board of Trustees; P. R. Borein, Clerk; the other officers of the incorporation being J. H. Putnam, Marshal; George Smith, Justice of the Peace; C. F. Juilliard, Treasurer. They set the municipal ball rolling by fixing the rate of licenses and establishing a uniform official grade for all streets and side-walks. On May 20th A. H. Judson was appointed Town Attorney and William Hazlehurst, a Trustee, while Luis Castro was called to the position of Town Engineer. Mr. Hazlehurst resigning, however, on June 10th W. T. Thrasher was chosen to fill his position, and on July 24th C. E. Palmer was called upon to undertake the duties of Town Treasurer *vice* Juilliard, resigned.

1873.—The municipal officers elected on the 5th of May to serve for the year 1873-4 were: Joseph Collingridge, A. T. Covell, M. C. La Grange, Alexander Baldwin, George H. Payne, Board of Trustees; L. C. Morehouse, Assessor; J. M. Estudillo, Clerk; J. H. Putnam, Marshal; H. C. Grigsby, Treasurer; George Smith, Justice of the Peace. These gentlemen would appear to have successfully manipulated the reins of government during this year, while the only item of moment beyond the regular routine was the granting of a franchise on October 6th to the San Francisco and Oakland Water Company to lay pipes through the town.

1874.—On the 5th of January Mr. Covell introduced a resolution asking Congress to appropriate funds for the prosecution on the work of making a ships' channel along the bay of San Francisco and the southerly line of the city of Oakland, and connecting with the San Leandro Bay in the event of a favorable report being made on the same, which was unanimously adopted. On February 16th Frederick Bryant was appointed Town Marshal in the place of J. H. Putnam, who had resigned; and on May 4th the annual election for Town officers was held with the following result: Joseph De Mont, M. C. La Grange, Jacob Price, A. T. Covell, Board of Trustees; J. M. Estudillo, Clerk; Dennis Gannon, Marshal; Frederick Meyers, Treasurer; L. C. Morehouse, Assessor; Joseph Collingridge, Justice of the Peace.

1875.—At the election held on the 3d of May for the municipal officers no less than four out of nine candidates for a position on the Board of Trustees received the same number of votes, the result, however, being as follows: A. T. Covell, Alexander Baldwin, J. A. Estudillo, George Smith, Socrates Huff, Board of Trustees; J. A. Murphy, Clerk; Le Roy Morehouse, Marshal; Frederick Meyers, Treasurer; L. C. Morehouse, Assessor; Joseph Collingridge, Justice of the Peace. On the 4th of

October the municipal tax was fixed at five cents on each one hundred dollars' worth of taxable property; while, on the same date, Joseph De Mont was elected to the Board in the place of A. T. Covell, who, upon resigning, received highly commendatory resolutions.

1876.—On April 24th of this year we find that authority was extended to W. W. Reid to purchase two blunderbusses for the use of the Fire Department. On the 1st of May the following gentlemen were elected to the official offices of the town: Joseph De Mont, J. A. Estudillo, M. C. La Grange, S. Huff, W. W. Reid, Board of Trustees; S. S. Saul, Assessor; J. A. Murphy, Clerk; H. G. Grigsby, Treasurer; Joseph Collingridge, Justice of the Peace. On May 8th fire-hydrants were established in the town, and on the 15th J. H. Shirley was appointed Town Marshal. July 10th Union Hose Company was admitted into the Fire Department. In the month of September we find the Board contemplating the erection of a Town Hall and jail; while, on the 2d of October, the yearly tax was fixed at thirty cents on each one hundred dollars' worth of taxable property.

1877.—Upon the death of Mr. Amerman, the Board of Trustees, under date February 14th, in meeting assembled, passed the following laudatory and condolatory resolutions:—

"WHEREAS, It has pleased Almighty God in his divine wisdom to remove from our midst our beloved friend Hon. I. A. Amerman, whose enterprise, public spirit, and sociability have endeared him to the citizens of San Leandro, and for whom they entertain the highest respect and feel that they have just cause to mourn his loss. He was chiefly instrumental in framing the Incorporate Act for the town of San Leandro, also ably discharged the arduous duties of the first President of the Board of Trustees. His familiar voice we had the pleasure of listening to in the dedication of the Hall a few weeks ago.

"*Resolved*, That as a token of our respect and esteem, we adjourn our present meeting to February 17, 1877."

On May 7th the annual election took place, when there were elected: Joseph De Mont, Socrates Huff, J. A. Estudillo, M. C. La Grange, W. W. Reid, Board of Trustees; John Cleland, Assessor; J. A. Murphy, Clerk; J. H. Shirley, Marshal; W. D. Smith, Treasurer; Joseph Collingridge, Justice of the Peace.

1878.—On April 29th, George Fleming was appointed Town Clerk in the place of J. A. Murphy, deceased; while, May 6th, R. McIntyre, O. H. Christie, F. Meyers, H. C. Powell, and I. H. Stone were elected the Board of Trustees; and John Cleland, Assessor; N. C. Lawrence, Clerk; W. D. Smith, Treasurer; J. H. Shirley, Marshal; M. L. Rawson, Justice of the Peace.

1879.—The officers for this year, elected May 5th, were: O. H. Christie, Samuel Dash'er, L. C. Morehouse, George Smith, J. S. Knowles, Sr., Board of Trustees; Frederick Eber, Assessor; M. L. Rawson, Clerk; J. H. Shirley, Marshal; W. D. Smith, Treasurer; J. W. Hodgkin, Justice of the Peace.

1880.—In this year the municipality was elected on May 3d as follows: R. Parker, T. P. Carey, J. S. Knowles, H. F. Crane, L. C. Morehouse, Board of Trustees; H. F. Eber, Assessor; A. Robinson, Clerk; W. J. Stratton, Marshal; W. D. Smith, Treasurer; J. W. Hodgkin, Justice of the Peace.



Yours Truly
John Barton

1881.—On the 2d of May the annual election for the town officials was held, and the following result attained: T. P. Cary, J. S. Knowles, J. E. Quinn, A. F. Crane Board of Trustees; D. K. Pratt, Marshal; H. F. Eber, Assessor; A. Robinson, Clerk; W. D. Smith, Treasurer. Owing to a tie vote with Mr. Huff at the annual election, on May 21st, R. Parker was chosen for a seat at the Board of Trustees. On July 25th M. L. Rawson was appointed Clerk *vice* Robinson; and, on November 21st, the following resolution was spread upon the minutes of the Trustees:—

“WHEREAS, Since the last meeting of this Board, one of its members, J. S. Knowles, has been, by the hand of death, removed from the community and from the Board; and

“WHEREAS, We, in common with all the inhabitants of this town, deeply regret our loss, as well as the loss to our community of a man of such worthy character and a citizen of so much usefulness; therefore be it

“Resolved, That out of respect to his memory this Board do now adjourn until to-morrow evening at half-past seven o'clock, and that this resolution be spread upon the minutes of this Board.”

Owing to the demise of Mr. Knowles, on the 5th December, O. H. Christie was called to a seat at the Board of Trustees in his stead.

1882.—At the annual election held on the first of May, the following gentlemen were chosen the corporate officers for the year 1882–83: O. H. Christie, E. Kirkman, F. S. Dickinson, T. P. Cary, Henry Motz, Board of Trustees; H. F. Eber, Assessor; F. M. Pratt, Clerk, D. K. Pratt, Marshal; W. D. Smith, Treasurer.

We can think of no place in California that has profited more by being incorporated than has San Leandro. The municipality have displayed good judgment in their actions, and by a wonderful unanimity in their meetings the result is seen in the perfection of streets, and the highest degree of sanitary purification.

PRESBYTERIAN CHURCH.—The first services of this denomination were held by Rev. J. M. Alexander on August 25, 1864, and on February 11, 1866, the church was organized with eighteen members, preparatory services being held by Revs. S. Wells, L. Hamilton, and J. M. Alexander. On April 28, 1869, the church edifice was dedicated and Rev. J. M. Alexander occupied the pulpit till the 23d of May, when, resigning, he was succeeded by Rev. A. H. Sloat on September 12, 1869. After preaching only a few times, that gentleman left in consequence of ill-health, then the duties were undertaken by Rev. A. F. White, who commenced his labors on the last Sunday in October, 1869. He resigned December 14, 1873, and was succeeded in turn by the following clergymen: Rev. W. Alexander, January 1, 1874; Rev. Tracy Oviatt, November 1, 1874; Rev. Hiram Hill, January 6, 1878, who, leaving on August 6, 1882, was succeeded by Rev. Theo. Beazley, who commenced August 13, 1882. The present number of members is sixty-three, while there are one hundred and fifty attendants at the Sabbath-school.

ROMAN CATHOLIC CHURCH.—This church was commenced in the month of January, 1864, and is one of the most architecturally beautiful erections in the county. It is gothic in style, thirty-two by fifty feet in dimensions, and is surmounted with a spire ninety-six feet in height. It was dedicated in August, 1864.

EDEN LODGE, F. AND A. M.—This lodge was organized February 14,

1857, by Bro. J. F. Damon, with the following charter members: Joseph De Mont, P. E. Edmondson, J. L. Noble Hamilton, William G. Hamilton, Lewis Lengfeldt, William C. Pease, John W. Carrick, Joseph H. Taylor, Charles B. Tool, J. L. Shiman, the original officers being: P. E. Edmondson, W. M.; Lewis Lengfeldt, S. W.; Joseph De Mont, J. W.; Charles B. Tool, Treasurer; William C. Pease, Secretary; Joseph H. Taylor, S. D.; John W. Carrick, J. D.; John L. Shiman, Tyler. There are at present fifty-three members on the roll, and the officers for the current term are: John F. Burdick, W. M.; Frank W. Boardman, S. W.; Alonzo A. Ferreira, J. W.; J. F. E. Hopper, Treasurer; Charles H. Haile, Secretary; William S. Du Bois, S. D.; Manuel J. Cardoza, J. D.; William W. Reid, Tyler. The hall which was built in 1857, and the lot on which it stands, is owned by the Lodge, while she is the mother of five lodges in the county, a sufficient number having gone forth from her sheltering ægis to open that number of like institutions in different portions of Alameda. Eden Lodge is in a very flourishing condition

SAN LEANDRO LODGE, NO. 231, I. O. O. F.—Was organized June 8, 1875, with the following charter members: H. A. Hale, P. G.; F. W. Greeley, Ezra Smith, J. Larson, F. D. Moran, J. T. Krudleberger, J. F. E. Hopper, A. Lucio, G. S. E. Smith, G. H. Payne, W. J. Stratton. The first officers were: H. A. Hale, N. G.; G. H. Payne, V. G.; J. T. Krudleberger, Secretary. The present membership is fifty-seven, and the officers now serving are: Frank Boardman, Jr., P. G.; George Larson, N. G.; Manuel Avellar, V. G.; A. Lucio, Rec. Sec.; F. D. Moran, Treas.; David Ury, Per. Sec. It meets in their own hall, which was built in 1880 and dedicated in 1881, every Tuesday evening; and is in a flourishing condition.

SAN LEANDRO LODGE, NO. 12, A. O. U. W.—Was organized December 11, 1877, with the following charter members: William H. Hodgkins, Robert Parker, P. N. Coughill, Jacob H. Shirley, Joseph Wallace, Eugene W. Smith, David Ury, Henry F. Eber, Alex. Robinson, Joseph Martin, H. C. Powell, Nelson McCune, Joseph A. Miller, Samuel Dasher, David J. Shields, James McDonald, Ezra Smith, O. H. Christie, H. A. Hale, Louis J. Martin, Manuel J. Cardoza, Alonzo A. Ferreira. The first officers were: J. A. Miller, P. M. W.; O. H. Christie, M. W.; A. Robinson, G. F.; N. C. Powell, O.; H. F. Eber, Recr.; D. Ury, Fin.; R. Parker, Rec.; James McDonald, G.; E. W. Smith, I. W.; Joseph Wallace, O. W. The present number of members in good standing is forty-seven, and the officers for the current term are: N. G. Sturtevant, P. M. W.; R. Morgan, M. W.; J. H. Shirley, G. F.; F. C. Barradas, O.; S. Johnson, Recr.; D. Ury, Fin.; J. Gorman, Rec.; H. F. Eber, G.; J. Raveks, I. W.; H. Barrmann, O. W.

SAN LEANDRO LODGE, NO. 180, I. O. G. T.—Was instituted by Mrs. Emily Pitt Stevens, January 5, 1880, with one hundred charter members, and the following officers were installed for the first term: H. R. Huie, W. C. T.; Miss Eliza Haas, W. V. T.; Rev. J. J. Cleveland, W. C.; R. M. Saul, W. S.; Mrs. Flora Richardson, W. A. S.; Mrs. H. R. Huie, W. F. S.; Mrs. J. W. Hodgkin, W. T.; G. R. Duval, W. M.; Miss Lizzie Mercer, W. D. M.; Geo. H. Richardson, W. I. G.; William Sheehan, W. O. G.; Mrs. N. McCune, W. R. H. S.; Miss Nellie Duval, W. L. H. S.; Rev. Hiram Hill, P.

W. C. T.; N. McCune, L. D. G. W. C. T. There are at present fifty-three members on the roll, while the officers serving for the current term are: W. W. Reid, W. C. T.; Miss M. Cary, W. V. T.; George Smith, W. C.; H. Pelton, W. S.; Miss M. Geary, W. A. S.; R. H. French, W. F. S.; Miss D. Halverson, W. T.; H. Morin, W. M.; Miss Anna Halverson, W. D. M.; Thomas Sturtevant; W. I. G.; David Ury, W. O. G.; Mrs. W. H. Gray, W. R. H. S.; Mrs. C. E. Case, W. L. H. S.; J. W. Driver, P. W. C. T.; George Smith, L. D. G. W. C. T. The charter members who yet remain in good standing are: J. W. Driver, Mrs. W. H. Gray, Mrs. J. A. Gallet, Miss Dena Halverson, Miss Anna Halverson, Miss Lizzie Mercer, H. Morin, H. K. Owens, Mrs. H. K. Owens, W. R. Price, Lester Price, W. W. Reid, George Smith, Mrs. George Smith, David Ury. The lodge is in a prosperous condition, but it was deprived of about half of its members when the agricultural works of Baker & Hamilton were removed from San Leandro to Benicia.

CHAUTAUQUA LITERARY AND SCIENTIFIC CIRCLE OF SAN LEANDRO.—Was organized in January, 1883, with Mrs. T. Beaizley, President, and Miss Jennie Huff, Secretary. The number of members is limited to fifteen, who meet every Tuesday evening, much interest being manifested in the various studies.

SAN LEANDRO "REPORTER."—This newspaper was started May 15, 1878, and is now in the fourth year of its existence. It is a twenty-eight column paper, published every Friday morning. The editor and proprietor is R. A. Marshall. Eight newspapers have been established in San Leandro before the advent of the *Reporter*, all of which have died a natural death, but by dint of energy and perseverance the circulation of the paper is nearly six hundred, while its advertisements are all reliable. For two years this periodical was issued as a twelve-column paper, eight by twelve inches in size, finally emerging into a six-page, then to an eight-page of the same size, and on July 2, 1881, the present size was established. On September 14, 1881, it became a semi-weekly publication, continuing so until May, 1882. It is the official organ of the town of San Leandro.

SAN LEANDRO "SENTINEL."—Was first started January 8, 1880, by Weston P. Truesdell, editor and proprietor, as a weekly. As such it continued until April, 1883, when it was changed to a semi-weekly issue. *The Weekly Sentinel* is a representative paper of San Leandro. It is the exponent of her advantages, industries, and necessities. It is a mirror of the events, social, political, and otherwise, transpiring in the county, and is a regular visitor in hundreds of homes, and in many families no other paper is taken.

CENTRAL MANUFACTURING COMPANY OF SAN LEANDRO.—Hopper & Larson, Proprietors. This industry was first started in the year 1875 by the above parties in a small building, still standing near Smith's grocery store, where they remained about six years. In June, 1880, they began the erection of their present large factory situated on Main Street, being two stories high, and occupying an area of forty-four by seventy-two feet. Attached to it is a building twenty-five by thirty-five feet, used solely for the manufacture and repair of agricultural implements. They moved into these

premises in October, 1881, where they are engaged in all work coming under the category of agricultural implements and blacksmithing.

SAN LEANDRO PLOW COMPANY.—This establishment for the manufacture of agricultural implements and farming machinery is located in San Leandro, and may be justly ranked among the best agricultural implement factories in the United States, though not among the largest. It comprises a planing-mill, blacksmith-shop, plow-shop, machine-shop, foundry, paint-shop, etc.; in fact, everything required in a concern of the kind. The buildings are new, commodious, well arranged, and well lighted, and the machinery is nearly all new and of the latest styles, the whole being driven by an elegant fifty horse-power Corliss engine. The location is considered the best to be found in the State, being close to San Francisco, with which there is hourly communication, and yet not within the limits where rents and taxes of any large city largely enhance the cost of production. The cars of the Central Pacific Railroad run into the yard, thus connecting it with the railroad system of the State, and saving all drayages, both on material arriving and goods going away. The company is a Joint Stock Corporation, composed mainly of wealthy citizens residing in San Leandro or its vicinity, and a number of the leading mechanics of the Baker & Hamilton Agricultural Works (which was run for several years in San Leandro, but has recently removed to Benicia). The company was incorporated April 19, 1881, with a cash capital of one hundred thousand dollars, the original and present directory being: S. Huff, President; T. P. Cary, Treasurer; W. H. Gray, Secretary; F. Meyers, L. C. Morehouse, I. H. Bradshaw, and J. De Mont.

SAN LORENZO.—This village is distant from Oakland about twelve miles, and is situated on the northern bank of the creek of the same name. In 1852-53 it was known as "Squatterville," owing to the number of squatters who took possession of portions of the Estudillo Rancho. In 1853 John Boyle erected a blacksmith's shop, and with it business may be said to have had a start in the place. He was succeeded at his death by Henry Smyth, who had been in Boyle's employ, and he started the first forge-fire in San Lorenzo.

Following Boyle's forge was the store of Daniel Olds, which occupied the position whereon the Willows Hotel now stands, and erected in 1854, and in the same year the San Lorenzo House was built by A. E. Crane. Save an establishment for drying fruit on the Alden process, which was tried some years ago, but failed, no other business venture than Smyth's works has been made in San Lorenzo.

It should be said, that in this vicinity there is the finest soil in the whole valley, as the magnificent orchards, splendid gardens, and rich grain-fields indicate. It is truly a garden spot!

The village comprises the usual quota of country stores, saloons, a post-office, and an excellent school besides. The church is a neat edifice in which union services are held, while the village is on the line of the Central Pacific Railroad.

Roberts' Landing is but one mile and a half to the northwest, whence there is communication by water with San Francisco.

MURRAY TOWNSHIP.

GEOGRAPHY.—Murray Township is bounded on the north by Contra Costa County, on the east by San Joaquin County, on the south by Santa Clara County, and on the west by Washington and Eden Townships.

TOPOGRAPHY.—This township, the largest in Alameda County, is about one-half its whole area, and comprises nearly four hundred square miles of territory, composed of mountains of considerable altitude, the lesser undulating foot-hills, and the fertile valleys, it being estimated that there are one hundred and sixty square miles of the first, one hundred and ninety of the second, and fifty of the last.

VALLEYS.—The valleys of Murray Township are the Livermore, Vallecitos, Suñol, Amador, Alamo, and portions of San Ramon and Tassajara. The chief of these is the Livermore Valley, which is a gentle sloping plain, irregular in shape, and completely surrounded by bold mountains. Its length is about fourteen miles from east to west, and its breadth from north to south from four to double that number of miles. It is situated in the northern part of the township, and extends from its western boundary line about two-thirds of the distance across it. North, northeast, northwest, southwest, and east of it the hills are low, and susceptible of the highest cultivation; while to the south, southeast, and west we have bold mountains valuable only for the timber with which they abound, and the unlimited range of pasturage which they offer.

STREAMS.—The water-courses of Murray Township are numerous, but few of them retaining their natural uses during the summer months. The principal ones are the Arroyo Valle, Arroyo Mocho, Calaveras Creek, Laguna, Las Positas, Tassajara Creek, and Corral Hollow Creek. Save the last two, all are tributaries to the Alameda Creek, which falls into the Bay of San Francisco, and forms the shore boundary between Eden and Washington Townships. The largest of these are the Arroyos Valle and Mocho, which, having their source amid the mountains of Santa Clara County, take a northwesterly course through the township, and empty themselves, the first into the Laguna, near Pleasanton, after flowing a distance of some thirty miles; and the last disappears into the earth a few miles northeast therefrom, having run its course of fifty miles, the greater portion of the distance being through deep ravines buttressed by overhanging crags whose recesses are the home of the feathered tribes of every hue and song. The Positas Creek has a westerly course, and drains the eastern end of Livermore Valley, emptying itself in the Tassajara, between the towns of Livermore and Dublin, while the last named itself, after watering the valley from which it takes its name—opening out to the north of Livermore Valley—meets its fate in the Laguna, near Pleasanton. Calaveras Creek has its birth in Santa Clara County, and finds its way through deep cañons into Alameda County, while the Suñol

Valley is fed by means of the Laguna, with all the waters of the Livermore and adjoining valleys.

These chief streams are principally fed by mountain torrents almost innumerable in number, which in the summer months are distinguishable only by their rugged courses, but which in winter become swirling, treacherous, angry torrents, sweeping here, and tearing thither, carrying all before them, until they mingle with the waters of the mightier streams.

Although hardly coming under the category of water-ways, it may be mentioned that there are three natural bodies of water in Murray Township, two being small ponds of a few acres each, near the east end of the Livermore Valley, which, although usually dry during the summer months, in winter have a plentiful supply of water. Not far from the foot of the Contra Costa Range, at the western extremity of the the Livermore Valley, is a tract vicariously known as the Bolsa, or Lagoon, some fifteen hundred acres in extent, swampy in character, and covered with a thick growth of willows, which, during the winter season is generally under water, and to some extent preserving this character in summer.

CLIMATE. —We have already dwelt upon the climate of Alameda County generally, and placed before the reader condensed remarks on the climate of each of the townships. Of the township now under consideration, and its chief section, the Livermore Valley and vicinity, G. Benton Jarrett, M. D., has stated that, protected as it is by the Coast Range, it has almost entire exemption from the nightly fogs of the coast, and possessing an altitude of nearly five hundred feet, several disagreeable conditions of the sea-shore climate are removed. The breeze of the ocean is toned down, its harshness is reduced; its unpleasant effects receive a check, being deflected upward by the Coast Range of hills and mountains, and deprived of excessive humidity, it can be breathed with comfort by many invalids who feel oppressed when near the coast. The summer air is very desiccating, and dead animals left unburied become in a short time so dry that scarcely any smell is emitted. So free is the air from moisture and all morbid effluvia, that distant objects can be seen with great distinctness. The summit of Mount Diablo, though twenty-two miles distant, can be distinctly discerned with the naked eye, nearly the entire year. On the south, Cedar Mountain seems to be within an hour's walk of Livermore, though about twelve miles distant. On the east, a range of hills separates the valley from the San Joaquin; thus the Sacramento and San Joaquin Rivers, with their tule lands, are no part of the climate of this section, yet, they can be plainly seen from Brushy Peak summit, nine miles from Livermore.

To present more fully to the reader the climate of Livermore Valley, let us begin with the winter or rainy season. The Valley of Livermore possesses a great many features in common with the rest of the State south of San Francisco. A winter season mild and agreeable and, compared to the Atlantic States, very short. The rainy, wet, or winter season, begins sometimes in October—though often November is dry—and terminates about April. The "settled" rains occur during a period of three months. Even during the "settled rainy season," a cessation often occurs for a week, much more rain falling at night than during the day. Through the entire year the roads in the gravelly part of the valley are in good condition. A few hours after the

heaviest rains, all roads, except on adobe soil, become comparatively dry. The nature of the soil is assisted by the gradual sloping of the valley towards the mountain passes that lead to the bay of San Francisco. The southern winds prevail during winter and are those that bring the most bountiful showers. During the intervals between rains is the most delightful weather, the atmosphere being purified and yet mild and equable. The coolest part of winter is a few degrees below the freezing-point; though on days when the morning is coldest, the midday and afternoon become warm and pleasant, and a man with extra wraps on is sure to be accosted with "what's the matter?" by friends solicitous concerning the state of his health. Lightning is of rare occurrence during showers. No lightning rods are used—none are needed. Few thunder showers, and those phenomenal, mostly in midwinter, and followed by colder weather and hail, soon turning to rain. Snow seldom falls in the valley; it is said to be a decennial curiosity and melts immediately. As it lies on the mountain tops, it affords a beautiful contrast with the green foot-hills and valleys beneath.

Spring-time is made beautiful by the many flowers that almost cover the hills and dales, and grasses, and evergreen trees. The orange, almond, and oleander trees live in the open air the year round; plants, such as the tomato, castor-bean, etc., become perennial.

The dry season begins in June and lasts, as before stated, sometimes till December. During this time is one continual, uninterrupted succession of clear weather. A description of one day is that of another—indeed, of all. The sun rises in a cloudless sky and lights up a scene of beauty; the air, cool and buoyant, is clear as crystal without aught of fog or mist to mar the most distant view. As the heat of the sun increases, a slight breeze springs up from the west and grows in power with the fervency of the rays of old Sol, till slightly past noon, when both decline in force. Later a slight haze settles in the valley, while stray fog-clouds drift slowly along the distant mountain ridges. The sun sinks towards setting and now is the most lovely hour of the day. Hills and mountains are bathed in a sea of rich purple haze, bright and vivid on the high ridge, but down in the deep cañon dark and sombre. The western sky is full of cloud-specks, each aflame with color bestowed by the fast sinking king of day. Great mountain shadows race across the valley as if in friendly rivalry; and, at last, in such a halo of glory, as is seen nowhere but in this land of the western sea, the sun sinks from view beyond the hills, and the day is done.

The daytime, often hot, never fails to be followed by cool nights; and, owing to the dryness of the atmosphere, one hundred degrees is more easily borne than eighty degrees would be in the Middle States. Sun-strokes are of very rare occurrence and when they do occur are occasioned by exposure or dissipation. Cerebro-spinal meningitis of children and infants is entirely unknown. The cool nights are so invigorating to the physical powers, that the digestive organs have ample time and opportunity to repair any damage incurred by the hottest days of summer.

Like most of the State, the vicinity of Livermore has its individual localities having distinctive features regarding their climate. Streams having their source in the surrounding hills and mountains flow through the valleys, watering their banks. Far up them can be found openings or windings of the cañon, well protected from adverse winds by giant trees and high ridges on either side, which are indeed "indi-

vidual localities," forming the camper's idea of a perfect elysium. The climate here is milder having more rain during the wet season, but less wind and cooler than the valley proper. For invalids suffering from bronchial diseases and for phthysical persons, in first, and early part of second stages, these places in the hills are of incomparable value, and are available at little or no expense, compared to "springs" and sea-side resorts. Then, close at hand, are benches on the foot-hills or mountains where almost any altitude necessary for the invalid can be obtained, while those on the east slope are protected from winds and are all provided by nature with water-works that need no improvement and in which animalculæ have no place. Along the streams are pleasant groves of trees available for man and beast as shelter from the noonday sun. The game consists of rabbit and quail for the most part, although deer are often found. The "grizzly" is a thing of the past; the "lion," or cougar, is only to be started from his solitude in deep mountain gorges. Game, however, abounds in sufficient quantities to furnish meat for the camper, while at nearly every farm-house milk and butter may be procured at ordinary market prices. Good roads lead from the stations on the line of the Central Pacific Railroad to all the adjacent country, and it may be said that the most favorable season is from April or May till December, or from the close of the wet season until its annual recurrence.

SOIL.—The distribution of the soils of Murray Township is both curious and interesting. The Livermore, which we have already stated is its chief valley, is elliptical in form and bears unmistakable evidence of having been at different times subjected to submersion by water, thus the distribution of soils has been largely effected by these floods, forming it into a lake whose shores were the surrounding hills.

The primary soils of the valley, of which there are three at least, lie in circular belts, the outer surrounding the second, the third, or inner, forming an ellipsis, occupying its center.

The outer belt, or ring, is a black adobe soil, extending completely around, besides including a portion of the valley. This belt is very extensive to the north and east, and, being most distinctive, very little other soil is found within it. To the south and west it is narrow and in certain localities becomes either mixed with other soils or covered by them. The second, or middle belt, extends entirely around the valley, and is a red or yellowish clay. On the south it is several miles in width; on the east, west, and north this appears only here and there. Unlike most surface soils, this red clay is of great depth. Lying between the Positas and Mocho Creeks, nearly in the center of the valley, is a gravelly loam, which, during the inundations referred to, has been deposited upon the red clay.

Nearly all of the arable lands of the township are composed of one of these three soils; others are found in particular localities, and are, in nearly every instance, more or less made up of one or more of those above mentioned.

The adobe soil is heavy, nearly black in color, and, when wet, of a persistently sticky nature. It is, however, rich in nutritive properties and retains its power of fruitfulness much longer than lighter soils. The adobe of this section varies considerably in quality, that on the hills being generally much lighter than that found in the valley lands. Unless in a favorable condition the heavy soil is difficult to work,



Wm. Knox

for, when dry, it becomes extremely hard and brick-like, and, if stirred when soaked with water, is ruined for that season. The lighter adobe is more tractable, and, when well mixed with a sandy loam, which is not unoften deposited upon it by overflows of creeks, makes a fine soil. It may be safely said that nearly three-fourths of the arable land in Murray Township is of an adobe nature.

The red clay soil is lighter than adobe and far more tractable. Not possessing the richness of that soil it does not, by ordinary means, produce as large crops, still, it is remarkable for its recuperative properties, indeed, some of it, which has been farmed ever since the first settlement of the valley, even now produces a good return. By a system of summer-fallow the red clay soil never fails to produce a good crop.

Like the adobe, the gravelly loam soil also varies much in quality, while in certain places the gravel is thick and the soil scant, yet, it is generally conceded to be the equal of the red clay in fertility. This soil succeeds best in a comparatively dry year, for a large amount of rain seems to produce a chill which stunts growth. The richest soil in the township, however, is a heavy black loam found at the western end of the Livermore Valley, which partakes somewhat of the nature of adobe, but being more mellow is possessed of greater fertilizing properties. In the mountains of the township the soils are adobe, a sort of gray shale, loam, and white clay, the first of which possesses considerable fertility and will produce good crops, but the last, although doing well for several seasons, soon runs out.

The streams entering the valleys from the mountains and the foot-hills every wet winter, break their banks, and, overflowing a large area, deposit on the lands a rich, sandy loam which is deemed most beneficial, especially to heavy adobe soils, and year by year is found to add to their value.

PRODUCTS.—Wheat is the one product of Murray Township that overtops all others. Barley and hay are raised to a considerable extent, but, compared with the one great staple, their production is limited. A large portion of Murray Township being of a mountainous nature, is unfit for cultivation, but is especially adapted for the raising of sheep, a business that is extensively carried on with generally good results in the commodity of wool. The settlement of the township has been of too recent a date to admit of there being any extensive vineyards or orchards. The soil, however, is especially adapted to this cultivation, and at the present writing several farmers have embarked in this enterprise, which will, at no distant date, form one of the principal occupations of the township. Still, there are several orchards and vineyards in the district, than which there are none finer in the State. These are located chiefly about Pleasanton and Dublin, but by no means confined to these two places. Vegetables are cultivated to a considerable extent on the low, rich bottom-lands in the vicinity of Pleasanton, where immense crops are produced, the quality of the tubers being unsurpassed anywhere on the Coast. Stock-raising is followed with much success by most of the farmers, while the dairying interests are of considerable magnitude, and constantly on the increase. The superiority of the hay in this section, and the excellence of the dry feed, tend to make the business more profitable than in most of the other counties. The raising of poultry, too, has become an important branch of industry, nearly every farmer keeping from fifty to five hundred hens, while,

scattered throughout the township, are numerous "chicken ranches," where poultry-raising is the only occupation.

TIMBER.—The mountainous regions of the township are where we find the most timber, the principal growth being white and live oak, although in the cañons we have the maple, buckeye, sycamore, cottonwood, alder, and other varieties; and along the banks of the creeks are many good-sized trees, mainly oaks and sycamores, the wood from the latter having given much satisfaction, while generally the timber is used as fuel for home consumption and foreign export, it being estimated that several thousand cords are shipped abroad annually, and find a ready sale at remunerative prices.

MINERALS.—Not much is as yet known about the mineral resources of Murray Township. True, gold, silver, quicksilver, coal, coal-oil, building-stone, sulphur, and marble have been discovered, but with the exception of coal and building-stone, none of these have been worked to a successful end.

About the year 1875, Michael Rogan, of Suñol, erected a derrick and bored for oil on the ranch of James Brown, about five miles northeast from the town of Livermore, where he found indications which grew more marked and favorable as the work proceeded, but on the fifth day the well, unfortunately not being cased, began to cave, and was abandoned, Rogan not feeling like going to the expense of erecting the necessary casings. The oil which flowed was jet black, of a thick, sticky nature, and with a smell like kerosene. Several barrels were gathered and sold in its crude state in San Francisco, at a good price. During the winter of 1877-78 the soil in that vicinity was thoroughly saturated with water, and numerous streams ran out of the hillside near where the well was bored. In the water which flowed from these springs were clots of this black oil in considerable quantities. This substance still exudes from the earth in that vicinity, through springs, and can be seen floating on the surface of the water in large clots. Some time in 1871 James Farley, then living on his ranch in the eastern end of Livermore Valley, bored a seven-inch well for water. When down about twenty-five feet, the workmen suddenly heard a noise in the well like the rushing of water—a volume of gas had been struck, which escaped from the aperture with great force. A lighted match was placed over the mouth of the well, when the gas caught fire and burned readily, the flame rising to a height of several feet. This well, which was finally filled up, was located about a mile from the Brown ranch, where Rogan's prospecting was carried on four years later. These facts make it apparent that oil exists in that section, at no great distance from the surface, but its quantity, quality, and value can only be determined by research.

The only stone quarry in practical operation in the township is situated near Altamont, in its northeastern portion. The formation is of sandstone, of excellent quality, and is mostly used for cemetery purposes, large quantities of it being shipped to San Francisco for that use. It is a fine, close grain, and when cut and trimmed is very handsome, being also fitted for general building purposes.

The coal deposits of the township will be found treated on among the industrial enterprises of the town of Livermore, as well as in the chapter on the geology and mineralogy of the county.

MINERAL SPRINGS.—These abound throughout the township, the most common being those impregnated with white sulphur, but there are several containing salt, alkali, and iron. On the farm of J. A. Neal, near Pleasanton, are a number of springs, one of which is impregnated with iron and magnesia, and the remainder with white sulphur, all being highly extolled for their curative properties and much resorted to by dwellers in the vicinity for their health. About half a mile from the Mountain House there is a spring impregnated with sulphur which we are informed possesses the property of petrification, while, a mile and a half away, in another direction are several more, containing iron, borax, etc.

MEXICAN GRANTS.—The Mexican Grants, wholly or partly in this township, consisted of the San Ramon, four square leagues and eighteen hundred varas, granted to J. M. Amador in 1835; confirmed by the Commission, August 1, 1854; and by the District Court, January 14, 1857; extent in acres 16,516.96. The Santa Rita granted April 10, 1839, to J. D. Pacheco; rejected by the Commission April 25, 1854; confirmed by the District Court August 13, 1855; and decree affirmed by United States Supreme Court; 8,885.67 acres. El Valle de San José, granted to Antonio Maria Pico, April 10, 1839; confirmed to Antonio Suñol *et al.*, by Commission January 31, 1854; by the District Court January 14, 1856; 51,572.26 acres. Las Pocitas, two square leagues, granted April 10, 1839, to Salvio Pacheco; confirmed by Commission to José Noriega and Robert Livermore, February 14, 1854, and by the District Court February 18, 1859. Cañada de los Vaqueros (mostly in Contra Costa County) granted February 29, 1842, to Francisco Alviso, *et al.*, confirmed to Robert Livermore by Commission September 4, 1855, and by the District Court December 28, 1857.

EARLY SETTLEMENT.—Before committing ourselves to a history of the early settlement of Murray Township it is proper to state that it received its name in the month of June, 1853, when the county of Alameda was created from that of Contra Costa, its sponsor being Michael Murray, one of its pioneer settlers, of whom we shall have occasion to speak farther on. Let us now take up the chronological order of events so far as we have been able to gather them. Would it were possible to banish grim death, preserve the ancient colonist in his pristine vigor, and retain him with his memory unimpaired; were such things possible, then 'twould be an easy task to pen the recollections of the courageous men who were the harbingers of joy and comfort to what is now a fruitful district and a contented people.

As far back as fifty-seven years ago—the year 1826—Don José Maria Amador settled in the valley which afterwards received his name, and soon after constructed an adobe house on the site of the present residence of C. P. Dougherty. We have been unable to learn the date of the erection of this building, but on the present owner's father, J. W. Dougherty, acquiring the lands in or about 1852 or 1853 he took possession of the house and resided in it until the earthquake of July 3, 1863, when it was so rudely shaken that it was found necessary to abandon it and erect the present residence.

Don José Maria Amador is still alive, having reached the ripe old age of one hundred and six years, and as we write, Christmas, 1882, he is visiting friends in San

Francisco, having made the journey thither from Watsonville, Santa Cruz County. He is described as retaining his intellectual capacity to a marked degree. Such being the case, what changes must he have noted. When he first saw the light the United States of America had but just declared her independence and the Mission Dolores been established on the peninsula of San Francisco. When he was sixteen years of age the Pueblo de San José was founded. As he grew to man's estate he held high office under the Spanish and Mexican authorities, and when fifty years old he took up his residence in what is now a portion of Alameda County, but then known as the Contra Costa. When he arrived he found the country wild in the extreme; neither habitation nor cultivation met the eye. The wild cattle of the Mission San José roamed at will over the mountains and valleys; the Indian held undisputed sway over the soil of which he was the primeval monarch; the mountains and gorges teemed with game, both feathered and four-footed; and the inaccessible crags and timbered hollows were the lair of the beast of prey. This was solitude indeed!

The next settlement within the present borders of Murray Township was by Robert Livermore, whose name is a household word with the early Californian.

Robert Livermore was born in Bethnal Green, a suburb of London, England, in the year 1799. In his youth, feeling the restraints of home somewhat keenly, and the curb of filial duty slightly strained, he shipped as a cabin-boy on board of a vessel and ultimately found himself in a Peruvian port. Here he joined the fleet of that nation, then under command of the redoubtable British Admiral Cochrane, afterwards Earl of Dundonald, but here finding the discipline of the navy too taut, he made his escape and found his way to Monterey in a hide-drogher. There are divers statements current as to the date of his coming to California, but we are inclined to the belief, and upon very reliable testimony, that it was in the year 1820, seven years after that of John Gilroy, the first Anglo-Saxon settler in the country. In the course of time, probably in the same year or that following, he arrived in the Pueblo de San José where he soon made friends, chiefly on account of his sunny disposition, and tarried for a space, working on the ranch of Juan Alvarez and acquiring the Spanish tongue. He next proceeded to the Rancho Agua Caliente, or Warm Springs, and becoming acquainted with the family of Fulgencio Higuera afterwards found favor in the eyes of a daughter of the house whom he subsequently married. While resident in San José he formed acquaintanceship with José Noriega, a Spaniard, and with him went to the valley which has since taken its name from the Suñol family where he located, built an abode, in a small way entered upon the cultivation of the soil, and embarked in stock-raising. It is presumable that in his wanderings after his cattle or game he became familiarized with the locality, and from the summit of one of the adjacent "lomas" first cast longing and loving eyes upon the fair vale which bears his name to-day, and whither he moved in the year 1835. From that period can be dated the first step toward the permanent settlement and development of the valley. Livermore at once devoted his attention, almost exclusively, to the raising of horned cattle, horses, and sheep. For the first few years he was greatly harassed by Indians, who stole and slaughtered his cattle and even rendered it unsafe at times for himself and family to remain in their wilderness home. On such occasions they sought pro-

tection under the hospitable roof of Don José Maria Amador, which was rarely molested.

In the year 1839 the Rancho Las Pocitas was granted to Don Salvio Pacheco who also owned the Rancho Monte del Diablo, but he, during the early part of that year, transferred his interest to Livermore and Noriega who took possession thereof April 10, 1835. That same year they erected an adobe house near the Pocitas Creek, which stood until about the year 1875, when it was torn down. Here it was on this grant of two leagues of land that Livermore fixed his permanent abode and commenced a life that was truly patriarchal. In a few years his flocks and herds were counted by thousands, while they roamed about at will over a territory that vied in magnitude with many a principality. True it is that he was surrounded on every hand by frequent dangers, but these would appear to have added zest to his life. His eminent courage and infectious good-nature, however, soon made him friends among the families of the ranchos, who, although the distances were magnificent, he frequently visited, indeed it was not long ere he became one of themselves. In 1844 he planted a vineyard as well as a pear, apple, and olive orchard on the flat near his house, while he also raised wheat—the first produced in the valley—and by means of a ditch, the track of which is still to be seen, brought water from the Pocitas Springs for the purpose of irrigation. In addition to the occupation given to these enterprises, he killed his cattle for their hides and tallow—the meat not being salable was left on the ground—the latter of which he made in a large copper kettle which is still extant on the ranch of his son. When not engaged in this wise it is related that he turned his attention to the manufacture of bear's grease from savage grizzlys that had fallen victims to his unerring rifle.

Thus dwelt Robert Livermore for nearly fifteen years in the splendid valley which bears his name, while his cattle roamed untamed from the Amador Valley to the San Joaquin River. Here he brought up a family of sons and daughters, lived in peace with all men, unmolested and honored, little dreaming what a few years would bring to pass, and how the face of his beloved adopted country would be changed.

It should be mentioned that on September 14, 1846, Livermore purchased the Cañada de los Vaqueros grant, the greater portion of which lies within the boundaries of Contra Costa County. This rancho was originally granted in the year 1836 to Miranda Higuera and Francisco Alviso, and comprised three square leagues of land, or thirteen thousand three hundred and twenty acres.

Of the original grantees of land, J. D. Pacheco received in 1839 the Santa Rita Rancho, located between that of San Ramon and Las Pocitas, but we are not aware that he ever placed any building of a permanent nature thereupon, although it was occupied in 1844 by Francisco Alviso as *major-domo*; while about the same time, towards the east end of Livermore Valley, grants of land were made to Antonio Maria Pico, Antonio Suñol, and Augustin Bernal.

And now came the discovery of gold, with its accompanying influx of people of every tongue and from every clime. Well it was for many of them that a man like Robert Livermore had pitched his tent on one of the direct routes between San Francisco and the mines. Here was he wont to extend an unstinting hospitality to all. The immigrants found him ever ready to hold out the right hand of fellowship, to fill

their exhausted larders, and otherwise aid them with practical knowledge of an unknown country. This discovery of gold was also the means of bringing to him communication with people speaking his native tongue, and brought him forcibly back to his youthful days.

The first landmark of these post-halcyon days that we have been able to discover was erected in the year 1849, on the site of the Mountain House, not far from the spot where the three counties of Contra Costa, San Joaquin, and Alameda come to a point. It took the form of a "Blue Tent," and being on the direct road to the mines was opened and kept as a house of entertainment by one Thomas Goodale, or Goodall. Here McLeod's stage from Stockton changed horses, while for ten years it was a kind of special camp for stockmen, rancheros, and immigrants. Goodale, or Goodall, subsequently constructed an adobe house, in the building of which he employed Indians, and this edifice Simon Zimmerman occupied for twenty-seven years, when he added to it in 1868, by putting a frame building in front thereof, finally, however, pulling it down and erecting the residence now occupied by him on its site. Other than Goodale, we cannot find that the population was in any way increased in the memorable year of 1849.

Of the events that occurred in the year 1850, save that there was a small augmentation to the number of settlers, there is nothing to relate. In April of this year, Augustin Bernal brought up his family from Santa Clara County, built an adobe house, that now in the possession of Captain Chadbourne, on the west side of Laguna Creek, and there took up his residence. About the same time Michael Murray, after whom the township is named, located near where Dublin now stands, built the house and planted the orchard now owned by John Green, while with him came one Jeremiah Fallon, who settled on the place now occupied by his widow, in the Amador Valley. Also in this year there came to the township four brothers named Patterson and located in what is known as Patterson Pass. One of these, Nathaniel Greene Patterson, still a much respected resident of the township, perceiving from the great amount of travel on the road the necessity for a hostelry, conceived the idea of opening a hotel; for which purpose he rented the Livermore adobe and started the first permanent house of entertainment in the district. In this year, too, José Suñol came up to reside on his father's possessions, while there also dwelt there as *major-domo* an old Mexican named Diego Celaya. The house occupied was situated on what is now the land of Mr. Ruggles, a portion of the building being used as a kitchen. In this year we also find Joshua A. Neal as a resident *major-domo* for Robert Livermore, while it is thought that it was in 1850 that A. Bardellini, the subsequent proprietor of the Washington Hotel in Livermore, first cast his lot in the district.

The year 1851 is noteworthy as that in which the first frame building was erected within the boundary of the township. During that spring such a structure was built by Robert Livermore, the lumber therefor having been brought from one of the Atlantic States around the Horn to San Francisco and thence transported with much difficulty to its future resting-place. Seven hundred dollars was paid for its construction, the carpenter work being done by John Strickland and John Teirney. A portion of the building is still standing and is known as the "Old Livermore House." At this period more people commenced to settle than had done so formerly, among those being

that worthy gentleman and scholar, John W. Kottinger. From this pioneer, with whom we had a most interesting conversation and from whom we gained much valuable information, we learn that he came to the township in the month of August, 1851, and found already located an Englishman named Strickland, presumably the one already mentioned, lived five miles from Pleasanton on the El Valle Creek; near to him dwelt a trapper and hunter named Cook, and Francisco Alviso resided on the eastern bank of the Laguna Creek. In this year also, Juan P. Bernal commenced building his residence on the east side of the Laguna Creek and completed it in 1852, it being the habitation lately occupied by Joseph Black. On the bank of the stream known as the Old San Joaquin, in 1851, Thomas McLaughlin located, he being still a resident there engaged in fishing, while about that time, or shortly thereafter, Edward Carroll and a man named Wright took up a claim in the section known as Corral Hollow, where also in the same season Captain Jack O'Brien, commenced sheep-raising. Alphonso Ladd and his family also settled in Suñol Valley in 1851, where he built a two-story frame building, which he occupied until removing to and founding Laddsville, the eastern portion of the present town of Livermore, while Mr. Kottinger built unto himself the frame building now standing on the east side of Main Street, in the village of Pleasanton and occupied by Henry Strang.

Thus are we brought to the year 1852, one which saw the acquiring of a vast tract of land by American capital, for it is at this period that J. W. Dougherty came to the township and purchased the lands of Don José Maria Amador, which still remain in the hands of his son. Mr. Dougherty was a native of Tennessee, and as we have elsewhere said occupied the original Amador "adobe" until its being rendered uninhabitable by an earthquake. In this year, too, the Señors Lorenzo and Juan Suñol moved up into the Suñol Valley. These gentlemen were nephews of the grantee, and resided there for only about four years.

The year 1853 is a momentous one in the annals of the district now under consideration, for on January 6th it received its baptismal rites and by metes and bounds became an accomplished fact as Murray Township, what these boundaries were will be found on page 171 of this work. On that same date Robert Livermore was appointed Supervisor for the township. During that year (perhaps in the following) Greene Patterson erected a frame house about two miles southeast from where the town of Livermore now stands, while about the same time R. W. Defrees built and opened a caravansary on the main road about one mile west from the residence of Mr. Livermore. Not long after—in the same year—Thomas Hart came to the district, was employed by Livermore for some time, and in 1854 bought the hostelry mentioned above and called it the "Half-way House," it being popularly supposed to have been equidistant between Oakland, Stockton, and San José. Here Hart resided until 1860, when he removed to the town of Livermore, where he died in 1871. Among the settlers who came to the township in 1853 we have the name of John Whitman, who with his family took up his residence on the west side of Laguna Creek on land near Pleasanton now owned by Charles Duerr.

In 1854, during the autumn, Richard T. Pope came to the township, settled on part of the ranch now owned by J. P. Smith, and there engaged in stock-raising for eleven years, when, disposing of his property, he moved to the location he now occupies. Mr.

Pope says that when he came to the township he found Messrs. Grover and Glascock occupying a portion of the ranch where Mr. Smith now is; Ben. Williams was also living there; while John G. Griffith was on the place now owned by Mr. Black. In this year J. West Martin and others came to the section of country near Pleasanton and were the first to embark in farming upon a considerable scale two years later on the land now occupied by Abijah Baker. In the Spring of the year Simon Zimmerman located at the Mountain House, where he now resides, on the Stockton road fourteen miles from Livermore, but as we have already told the tale connected therewith we need not further trespass upon the time of the reader.

In 1855 Hiram Bailey, a carpenter, came over to Livermore Valley from Contra Costa to erect a dwelling-house for Joseph, son of Robert Livermore, in the eastern end of the valley, and here has he since made his home. In or about this year, or early in 1856, Frank Heare came to the place now known as Midway and settled in what was called the "Zinc House;" while F. W. Lucas it is said settled near Mr. Pope.

It has been estimated that at this period there were fully fifty thousand head of cattle and horses in the township, besides immense bands of sheep in the hills and mountains. Very few attempts at agriculture had been made, it being generally believed that the soil would produce nothing but grass. At Livermore's place, Alisal (Pleasanton) and Amador's both grain and vegetables had been raised, but in a very small way. Everybody in the valley was interested in stock-raising, and no other industry was in operation, nor hardly thought of. In the year 1856, however, the first blow toward the complete revolution of the industrial interests of the district was struck. Joseph Livermore had some time previously fenced a hundred-and-sixty-acre field on the Pocitas Grant, including a portion of the ranch now owned by Almon Weymouth, and that year sowed the same to wheat. This was the first field of grain ever raised in the Livermore Valley. In this year among the new-comers we have the names of Thomas Rafferty, J. L. Bangs, and Michael McCollier, while to this year is also the honor of seeing the first educational establishment in the township erected. It was placed about three-quarters of a mile south from Dublin and was first taught by M. G. Higgins.

In the Spring of 1857 Joseph Black and two brothers named Carrick began raising wheat in the west end of Livermore Valley, the first-named gentleman putting in four hundred acres on the ranch of Jeremiah Fallon and the brothers a like amount on the Dougherty estate, adjoining. In the Summer of 1857 Robert Livermore began sinking an artesian well near his residence. George Duel, a traveling well-borer, had charge of the work, which lasted seven months, and, owing to the high charges for labor and prices of material at the time, cost a very large sum. A depth of about seven hundred feet had been reached at the time of Mr. Livermore's death; at which period the work was abandoned. At that sounding the water came within ten feet of the surface. A cross-pipe was put in and a flowing stream of water brought out on the hill-side below the house. The cost of this well (which is still flowing), was not less than five thousand dollars.

The year 1858 is a sad one in the history of Murray Township. Robert Livermore, the pioneer *par excellence* of that district departed this life on the fourteenth



A. J. Ware

day of February. For over a quarter of a century had he dwelt within the hill-begirt valley which took his name, beloved and honored by all with whom he came in contact. A sturdy and adventurous argonaut he wrested that beautiful vale from the possession of the wily and murderous savage and paved the way for the onward march of civilization. The level plains where his countless herds stood to the breast in wild oats and clover, and the ribbed foot-hills, which offered him safety when pursued by the savage and relentless Indian foe, know him no more. Savage and herds have disappeared, never to return. Civilization has come and peopled the wilderness as with magic wand. Livermore was a good, brave, and enterprising man. Surrounded as he was by a class to whom the word "enterprise," or its signification, was almost a stranger, he displayed that quality to a most remarkable degree. Thousands upon thousands were spent by him upon improvements of which another man in his position would never have thought. His house was always open to the traveler, and many are now living who can testify to his hospitality. Then, all honor to Robert Livermore; and let his name endure in the hearts of the people as long as lasts the beautiful valley he loved so well.

In the fall of 1858 Supervisor John Green came to the township and found, near where Dublin now stands, Edward Horan on a portion of the Dougherty property; four miles to the eastward lived William Murray, while about the same time John Martin and his family came up from San Mateo County and located among the rolling hills about a mile and a half from Dublin; and not long after James F. Kapp and Robert Graham settled in the township.

Among those who arrived in 1859 was Adam Fath, who located on land now owned by Charles McLaughlin, about six miles from Livermore, while in this year the first church in the township was erected in the neighborhood of Green's Hotel, in Dublin.

In the year 1860 Mr. Zimmerman started a school in his residence already mentioned, which was first taught by Miss White. The following year, however, it was transferred to a position on the plain about two miles and a half north of its former *locale*, but still bears its original euphonious name of Mountain House. In this year Lysander Stone and William Meek came to the township, while it was in 1860 the first town in Murray Township was started. This is the hamlet of Dublin, whose history will be found further on, and which had the honor of harboring Michael Murray and J. W. Dougherty for several years. In the year 1860 Hiram Bailey sowed eighty acres of wheat on the Positas Grant, three miles north of Livermore, and in the same year Joseph Black rented four hundred acres from Dougherty in addition to that he was already farming on the Fallon Ranch. In that year, also, S. B. Martin, who had in 1854 purchased the Santa Rita Rancho, increased his sowing area by several hundred acres.

During 1861 the acreage of sowed land was increased by Alexander Esdon by a thousand acres, situated next to Joseph Black's place on the Dougherty estate, while Hiram Bailey, too, added to his farming operations.

In 1862, when Charles Hadsell came to the Suñol Valley, he found the old portion of the house in which he now resides, but a short time before evacuated by Narciso, son of Don Antonio Suñol, but it had been previously occupied by the eldest

son, who was murdered, in the spring of 1855, near the Mission San José. The Argenti Hotel was then kept by a Frenchman named Bertrand. George Buttner lived where he does at present, while Samuel Bonner resided near where Suñol Station now is; farther down the Laguna Creek was Isaac Trough, and not far from him was a man named Higgins. In this year wheat-raising was in full progress in the west end of Livermore Valley; fences sprung up everywhere, stock was crowded up towards the Livermore Ranch (which was then thought unfit for agricultural purposes) and flour-producing grain became an established fact, the yield, in many instances, being enormous, while the general average was about a ton to the acre. The number of cattle was still on the increase, there being in that year no fewer than eight thousand head of calves branded on the rancho of the Bernals. In 1863, of the settlers who came to the township we have been enabled to learn of John Booken, Amos S. Bangs, and Maas Lueders.

In 1863-64, that commonly known as the "dry year," two brothers named Bean farmed about four hundred acres of the Bernal Grant, two miles southeast of the Livermore House, where the yield of grain was immense. At this period, too, John W. Kottinger sold some lots where now is the town of Pleasanton, to Jake Teeters, William Whittner, and Doctor Goucher, who at once built houses and started in their several occupations of blacksmith, carpenter, and medical practitioner.

In the year 1864 that excellent citizen and pioneer of 1846, William M. Mendenhall took up his abode near Livermore, where he has since resided—one of its foremost residents; and in this year the Pleasanton School, which stood to the south of Mrs. McLaughlin's house, was opened, under the tuition of a Mr. Powell. This year George May purchased a ranch on the grant near the east end of Livermore Valley, and put in two hundred acres of wheat, which produced an enormous crop, although scarcely any one had faith in the experiment, while that same season Richard Threlfall of Centreville leased four hundred acres adjoining Bean's, from which he had a large yield.

Encouraged by these results the sowing season of 1865-66 opened auspiciously, while the demands for land largely increased. Threlfall sowed one thousand seven hundred acres in the eastern end of Livermore Valley, belonging to Francisco Aurocochea; Alexander Esdon bought six hundred acres of the Rancho el Valle de San José, or Bernal Grant, adjoining the ranch the former had farmed during the previous year, and sowed it all. He also farmed a large tract on the Dougherty property, thus making his lands under crop that season twenty-eight hundred acres. In this year a school was opened where now stands Scott's store, near Suñol, under the direction of Mrs. Sam. Brown, while among those who arrived and made their permanent homes within the limits of the township, we have the names of Doctor I. N. Mark, Frederick and Charles Rose, Martin Mendenhall, Hugh Dougherty, and Peter McKeaney.

Thus far is it our intention to bring the settlement of Murray Township. We think the chief points in its history have been attained, and with considerable correctness, be it for the reader to indorse that statement.

The large yield produced by the lands above enumerated, which only a few years before had been deemed worthless, except for pastoral purposes, could not but induce

a large immigration. Settlers came in great numbers, and either by purchase or pre-emption located in the district in every direction. There was one drawback, however, to the immediate development and improvement of the country; this was the uncertainty of land titles. The chief cause of this was doubt regarding the boundaries of the Positas or Livermore Grant. The United States Patent, which was issued February 18, 1859, granted "two leagues, more or less," within certain boundaries. The limits described, however, contained upwards of eleven leagues, which amount was claimed by the heirs of Robert Livermore. On March 1, 1871, this matter was definitely settled by the approval of the second Dyer Survey (two leagues) by the Commissioner of the General Land Office at Washington, in accordance with a decision by the Secretary of the Interior, a decision which threw open for peaceable pre-emption a large extent of country, and, coming as it did immediately after the completion of the railroad through the valley, resulted in bringing in a large population. Towns sprung up as if by magic; every year widened the extent of the grain-fields, and witnessed the building of new homes. As will always follow, the stock interests had given way before the plow of the sturdy husbandman, and the hut of the Mexican vaquero was supplanted by the cozy cottage of the tiller of the soil.

The lover of the beautiful in Nature can spend many delightful days in Murray Township and its cañons. Here can be found every variety of scenery, from the broad but quiet panorama of valley and foot-hill to the wild, rugged mountain gorge hemmed in by ridges a thousand feet in height, and adown the bed of which, at times during the winter months, roll torrents of water in many a beautiful cascade.

ALTAMONT.—This hamlet is situated some eight miles east of Livermore and is on the line of the Central Pacific Railroad. It derives its name from its position in the Livermore Pass, it being seven hundred and forty-nine feet above the level of the sea. When William H. Wright came there and settled, in the fall of 1869, he found an hotel, kept by Edward Hobler, about a quarter of a mile above the present site of the village, and which had been built in the spring of 1868. Of the residents in the vicinity at the time there were John Campbell, a quarter of a mile below the village, where he located in 1868; E. Cockerton dwelt where he does now, about a mile and a half to the northwest, who also came in 1868; near him resided Nicholas Shearer, who afterwards lost his life in the Modoc war; there was no house between Altamont and Livermore; Alexander McKelvey lived on the place now occupied by Thomas Ryder, while near to them was Thomas Gurn.

Before 1868 there was no agricultural farming in the section, the land being almost all taken up by sheep runs, among the sheep-raisers being Charles Hobler, now a wealthy resident of Fresno County, who commenced that pursuit in 1864. The store in the hamlet was opened by William H. Wright, in 1872, and during the same year he put up his dwelling-house. In 1870 the school house was erected, since when it has been considerably enlarged, the first teacher being Miss Lelia Stone; while the same year saw the erection of the depot, which was placed under charge of E. Bridgeman.

Altamont consists of only about a dozen houses, but in its neighborhood is an extensive and excellent quarry of building-stone, which only needs development to

become extremely valuable. The little hamlet is situated in the midst of an undulating country, capable of the highest cultivation.

DUBLIN.—This village is situated on the main traveled road between Oakland and Stockton, and about nine miles due west of Livermore. Here it was that Don José Maria Amador erected his adobe, which afterwards passed into the hands of J. W. Dougherty; and here also was it that Michael Murray, the godfather of the township, pitched his tent. Other than these residences, the first house built in the hamlet was by John Green, who opened a store in 1860 on the site now occupied by the Amador Valley Hotel, and where the stages running between Oakland and Stockton, and San José and Martinez, changed horses. Six months later Scarlett & Grandlees put up what is now Marsh's Hotel, and thus the little village had its start. Here, in 1856, the first school in Murray Township was opened, and here the Roman Catholic denomination built, in 1859, a commodious church, near which is the only Catholic cemetery in the township. At one time Dublin was a place of considerable business activity, but the building of the railroad drew trade away from it, and left it naught but its departed glories. The soil in the vicinity possesses great fertility, there being within a few miles of the village several thousand acres of as rich land as is to be found on the Pacific Coast.

It is not precisely known how this place got its name. We fail to find a stream running through its center answering to the Liffey of Ireland's capital. It is said that in this locality most of the early settlers hailed from the "Green Ould Isle," and thus the only two clusters of houses were respectively named Dublin and Limerick (San Ramon) by the facetious American, but, *mutato nomine*—the name being changed—the first is occasionally called by the possibly less Hibernian cognomen of Dougherty's Station!

LIVERMORE.—With hills on every side and planted in the heart of the valley of the same name, stands the town of Livermore, which needs no spirit of prophecy to say whence came its title. Here have we truly a large inland city in embryo, and on every hand the necessary *desiderata* to make it so. It is located partly on two grants—the Las Pocitas and El Valle de San José—and sprang into life in the year 1869 with the advent of the Central Pacific Railroad. A portion of it known as Laddsville was a town before then; it is our purpose now to commence with its foundation.

We have already shown that in the year 1850 there came to the township and settled in the Suñol Valley one Alphonso Ladd. In the spring of 1864 he pre-empted a quarter-section of land near the "Old Livermore House," and on it erected for himself a small dwelling, which was the initial building in the place called Laddsville, and within the limits of the present town of Livermore. Later he commenced the construction of an hotel, the lumber for which he brought from Mowry's Landing, and completed it that fall. This was a fine frame building, costing a good deal of money. It, however, fell a prey to the devouring element during the year 1876, leaving naught but blackened ruins to mark its site. Having thus formed the nucleus of a town, he soon found neighbors. In the month of September Adam Fath built a dwelling-house not far from Ladd's, and occupied it, while, in a short time after, a

Spaniard named Alexander Mesa opened a saloon, that accessory to a rising place thought more necessary than church or school. The first store was started in the winter of 1865, by Henry Goetjen, who built a little house on the side of the rising ground above Ladd's, and he was followed in the next season by a blacksmith from Haywards, who set up his shop near to him. At this time, 1866, it was found necessary to do something by way of educating the rising generation, therefore a subscription was raised, a school district organized, a school house built, and Miss Weeks placed in charge thereof. In that winter, December 1866, the first free or public school was opened with J. M. Ginn as teacher. In 1867 Mesa's house was bought by Ladd, who moved it into the town, and the following year R. W. Graham, of Haywards, erected a large building near Ladd's Hotel, and commenced operations in it as a dealer in general merchandise, where he also conducted the first post-office. Next came the Italian restaurant of Anton Bardellini, and about the same time a man named Elliott opened a livery-stable. Israel Horton then built the first house used exclusively as a dwelling, while it was quickly followed by the store of Joseph Harris, the drug-store of Knight & Sproul, Booken's saloon, and other buildings. In 1868 Beazell & Crowell erected their blacksmith-shop, which was followed soon after by the residence of A. J. McLeod. The first child born in Laddsville was Elsie, daughter of Israel Horton.

Above we have tried to enumerate the first buildings on what is now the south side of the railroad track, and the McLeod addition of the town of Livermore. Let us now turn to the growth of that town itself.

During the summer of 1869 the line of the Central Pacific Railroad was pushed through the valley and the first depot located about half a mile to the west of Laddsville, the first train having made its appearance in August of that year. In the previous July William M. Mendenhall, already mentioned as a pioneer of pioneers, owning a large tract to the west of Laddsville, presented twenty acres to the railroad company, on which to place the depot, and had a town site surveyed, which he called Livermore, in perpetuation of the name of the hardy old settler. This was the signal for a grand building excitement, the first to commence being C. J. Stevens, who constructed his grist-mill there in the year 1869. This enterprise, which was originally started in Union City, or Alvarado, at a very early date, had its day of usefulness, and was burned to the ground on the night of October 16, 1882. Mr. Stevens' action was quickly followed by the store of A. J. McLeod, now occupied by his sons, the Livermore Hotel, R. B. Campbell's private residence, and others, such as Mendenhall's ware-house, and Whitmore's store. In the following year, 1870, a piece of ground situated on the Arroyo Mocho was donated by W. M. Mendenhall for the purposes of a collegiate institution, which was erected in the same year with the style of the "Livermore Collegiate Institute," which is justly a pride to the inhabitants, and of which an interesting history will be found elsewhere, while February 12, 1871, saw the organization of the "First Presbyterian Church of Livermore," with the appointment of Daniel Inman, W. B. Kingsbury, Jesse Bowles, F. A. Anthony, and Hiram Bailey as Trustees. In the month of November of this year the fiery fiend laid low the principal portion of Laddsville, which caused the business of that place to be transferred to the new town, and gave to it a great impetus. In 1872 a Roman

Catholic church was erected, while in 1873 the Odd Fellows raised their building two stories high, and the Presbyterians built their neat little church edifice.

Between 1870 and 1872 the population of the town and its business had doubled, while we are happy to say that its prosperity remains unimpaired. In May, 1874, the first newspaper was started and called the *Enterprise*. On February 1, 1877, it came under the management of W. P. Bartlett, as editor and proprietor, when the name was changed to the Livermore *Herald*, which will be found more fully described elsewhere. In 1875 water was brought from the Las Pocitas Springs by the Livermore Spring Water Company, and distributed through the town.

On April 30, 1876, by the Act of the Legislature entitled "An Act to incorporate the town of Livermore, Alameda County," the people of that place became incorporated within the following boundaries: "Commencing at the southeast corner of the north half of the northwest quarter of section nine, township three south, range two east, Mount Diablo base and meridian; running thence along the southerly line of said north half of the northwest quarter of section nine, township three south, range two east, and along said line produced one and one-fourth miles to a point; thence southerly and at right angles to said last-named line one and one-fourth miles, or thereabouts, to a point in the southerly line of plat eighteen, of the rancho El Valle de San José, as defined and laid down in the final decree of partition of said rancho; thence easterly and along said last-named line one and one-fourth miles to a point; thence northerly in a direct line to the point of commencement." At this time the population was by census determined to be eight hundred and thirty, and the number of buildings two hundred and thirty-four, since when the growth of the town has been steady.

As incorporated the town site contains eight hundred and forty acres, which is surveyed off into four distinct plats, as follows: The Mendenhall plat, or original town; the McLeod addition, the Waterman addition, and the Smith-Grant addition. Upon the first-named is located the larger portion of the town. The McLeod and Waterman additions contain substantial improvements, and there is little doubt but their growth will be rapid. The Smith-Grant addition was surveyed in 1878 by the Pacific Mutual Life Insurance Company, but only a portion of it is located within the town limits, that outside being divided into homestead plots of several acres each.

The population of the town is, at the present writing, upwards of fifteen hundred, while the number of buildings has increased in like proportion since the census of 1876.

The site of the town is one of the finest to be found on the coast. It is a gently sloping plain bounded by low hills on the north and the Arroyo Mocho on the south, the banks of which abound with oak and sycamore trees of great size. The soil is a gravelly loam, good for garden purposes, and most favorable to the growth of trees, both fruit and ornamental. Mud is almost unknown—a few hours after the most violent rain-storm the streets are free of water and in good condition.

The business portion of the town is compactly built, generally in a substantial manner. The brick block of Messrs. M. Waterman & Co., built in 1874, is one of the finest mercantile establishments outside of Oakland. The residences are generally neat and attractive. The public school building is a two-story, eight-room edifice,

and cost upwards of nine thousand dollars, with its furniture, the block on which it stands having been presented by William M. Mendenhall. Just south of the town, on the bank of the Arroyo Mocho, is the Collegiate Institute, where pupils from all parts of the Pacific Coast obtain a thorough scholastic training. Its hotels are comfortable, its streets well kept, and its surroundings beautiful.

FIRST PRESBYTERIAN CHURCH.—This church was organized on the 12th day of February, 1871, at a meeting held in a school house located in the old town of Laddsville, by Rev. W. W. Brier (who for several months previous had preached semi-monthly, under direction of the Board of Home Missions), with nine members, W. B. Kingsbury, Horace R. Huie, Morton P. Scott, F. A. Anthony, Owen Owens, Mrs. F. A. Bias, Mrs. Mary M. Huie, Mrs. Margaret Scott, Mrs. Helen S. Kingsbury. H. R. Huie and Owen Owens were ordained as elders. Five Trustees were chosen by the congregation, as follows: D. Inman, Jessie Bowles, Hiram Bailey, W. B. Kingsbury, and F. A. Anthony. Continued to hold services in school house until the spring of 1872, when, by vote of the congregation, they moved to the College school building, then kept by W. B. Kingsbury, now occupied by J. D. Smith, where regular services were held until February 1, 1873, W. W. Brier acting as supply. Owing to the distance from the town of the College building, Exchange Hall was secured and occupied until July 26, 1874, Rev. C. W. Anthony, brother of F. A. Anthony, a graduate of the State University and a student in the Presbyterian Theological Seminary, located in San Francisco, having preached several times while a licentiate. A meeting was held April 6, 1873, and a call extended, which was accepted, and soon after graduating, June 1, 1873, he commenced his labors as pastor, and continued until August 31, 1879, when he resigned, and soon after moved with his family to Illinois. June 16, 1872, by vote of the Trustees, it was resolved to enlarge the Board to nine members instead of five, and to take steps toward building a church. D. Inman, Jessie Bowles, F. A. Anthony, C. J. Stevens, Owen Owens, Hiram Bailey, H. R. Huie, W. W. Wynn, and Wm. M. Mendenhall were elected, but not until the last of 1873 was anything accomplished toward building. On the 8th of December, 1873, A. D. Spivalo Esq., of San Francisco, gave lots one and two, and the church bought lot three, block thirty-seven, paying seventy-five dollars for it, the contract having been let on December 1, 1873, to Messrs. Freeman, Konkrite, & Harrington, to build and complete the outside of the church, for two thousand dollars, estimated to seat two hundred and fifty. Application having been made to the Board of Church Erection for aid, which was given, amounting to eight hundred dollars currency, it was then decided to complete the same and furnish it, which was done at an entire cost of about three thousand five hundred dollars. Dedicated July 26, 1874, Rev. Dr. Scott of St. Johns Church, San Francisco, preaching the sermon, assisted by Rev. W. W. Brier, and the pastor, Rev. C. W. Anthony. After the resignation of Mr. Anthony the church was without a regular pastor until November 23, 1879, when a call was extended to Rev. Joseph Hemphill, a licentiate of the San Francisco Theological Seminary, which was accepted, and he commenced his labors January 4, 1880, and continued until March, 1881. On July 24, 1881, Rev. P. F. Phelps, of First Church, San Francisco, received a call, accepted, and now fills the pulpit. Present Trustees, W. W. Wynn, Dr. W. S. Taylor, John Armstrong, W. F. Mitchell, J. R.

Swartz, L. Laughlin, F. R. Fassett, F. A. Anthony, W. W. Colestock. Elders, Wm. Anthony, W. W. Wynn, Dr. W. S. Taylor, and W. W. Colestock. Superintendent of Sunday-school, W. W. Wynn.

LIVERMORE COLLEGE.—Livermore College, the only private institution of learning in the east end of Alameda County, is situated on the north bank of the Arroyo Mocho, a wooded stream skirting the suburbs of the bustling town of Livermore. The main college building is three stories in height, is flanked by lesser additions, and numerous out-buildings, and surrounded by shaded and beautifully kept grounds. Located as it is, in the very center of mountain-locked Livermore Valley, the view from the cupola of the building is very extensive, and one of the most beautiful in the State. Livermore College was founded in 1870 by Dr. and Mrs. Kingsbury. The site, of six acres (which has since been increased by purchase), was presented by Wm. M. Mendenhall, and the cost of the building was largely defrayed by the assistance of residents of the valley, and the then incipient town. In 1875 the premises were purchased by Prof. J. D. Smith, then an instructor in Washington College, who has continued as owner and principal, to the present time. Its pupils are about fifty in number, of both sexes, and from every part of the Pacific Coast. The principal is an experienced teacher, and excellent disciplinarian, and always employs assistants of acknowledged learning and ability. Graduates of this institution are now to be found all over the State, engaged in various occupations, with almost uniform success.

LIVERMORE PUBLIC SCHOOL.—The first public school in Livermore was organized in May, 1866, and taught by Miss Esther Weeks, now Mrs. Babb, of Washington Corners. School opened with thirteen pupils, six of whom were children of George May, who was one of the trustees. A school house, twenty-four by thirty-six feet, had been erected during the autumn of 1865 by Israel Horton, the cost of which was met chiefly by subscription. The house was located not far from the big oaks near the old Livermore House on the Dublin road, about a mile and a half northwest from what is now the town. A short time before the school opened a dancing party was held in the school house, to raise money to procure desks. It seems to have been a great success, as the people came from all parts of the surrounding country, and even from as far away as Antioch. The second teacher was J. W. Guinn, now of Los Angeles, and well known as a prominent educator in the State. In the spring of 1869 the house was moved east of the town to a lot given by A. J. McLeod, and in the following year another building was erected on the same lot for another department, to meet the demands of the growing school. F. R. Fassett was then placed in charge of the school, with Miss Brier (now Mrs. Fassett), as teacher of the primary department. Not long after a dispute arose with reference to the land title, and it became necessary to remove the buildings again. W. M. Mendenhall then donated to the district the block of land bounded by Fifth, Sixth, I and J Streets, and to this site, which is still the location of the school, both buildings were moved. In a few years the number of pupils so far exceeded the accommodations that new and larger rooms became necessary, accordingly, the old buildings were sold, one of which is now doing duty as J. F. Meyers' carpenter shop on Fifth Street, the



Yours Truly
John Cushing

other as a saloon on Mill Square. The present school building was erected in 1877. It is fifty by eighty feet, two stories high and designed for eight rooms, with ample hallways, etc.. The four rooms on the lower floor were sufficient for the demands of the schools at the time of its erection, but in the summer of 1880 it became necessary to finish half of the upper flat. At present the school trustees are: J. F. Meyers, Jesse Bowles, and Hiram Bailey. The present corps of teachers is as follows: J. T. McDonald, A. B., Principal, Department I.; Miss Mary F. Buckelew, Department II.; Miss Minnie E. Buckelew, Department III.; Miss Ada F. Allen, Department IV., and Miss Emma C. Smith, Department V. There are upwards of two hundred and fifty pupils in the school, and the number is increasing with the growth of the town.

LIVERMORE LODGE, No. 218, F. & A. M.—The first meeting for the purpose of organizing this lodge was held at Pleasanton July 16, 1871, when the following brethren signed the petition: James Beazell, Charles M. Dougherty, Frederick Kapp, L. W. Winn, J. W. Goldman, Harris Arendt, John A. Bilz, Joseph Harris, A. J. Taylor, W. A. Jordan, Henry Angelopulo, J. Koopman, J. S. Moor, who received dispensation August 26th to open a lodge of Masons in due and ancient form. October 19, 1872, the lodge was instituted, with the following charter officers: Charles M. Dougherty, W. M.; Frederick Kapp, S. W.; J. S. Moor, J. W.; William A. Jordan, Treas.; John A. Bilz, S. D.; Joseph F. Black, J. D.; L. W. Winn, Tyler. In November, 1874, the lodge was transferred from Pleasanton to Livermore, where they had their first meeting on November 28th, in Odd Fellows' Hall. There are at present forty-seven members on the roll, the officers for the year 1882 being: James Beazell, W. M.; F. R. Fassett, S. W.; W. H. Wright, J. W.; R. W. Graham, Treas.; J. F. Meyers, Sec.; George W. Brock, S. D.; N. B. Holmes, J. D.; R. Hunter, Joseph Harris, Stewards. The lodge, which is in a flourishing condition, meets, on the Saturday on or after full moon, in Odd Fellows' Hall. They purchased in the spring of 1882 a tract of land for a Masonic Cemetery, about half a mile from the town, where it is the intention to lay out a burial-ground worthy of the Order.

LIVERMORE LODGE, No. 219, I. O. O. F.—Was organized May 23, 1873, by Grand Master W. J. Garnett, of Oakland, assisted by T. Rodgers Johnson, R. W. G. Secretary, and Brothers Grand: Salz, Rix, and K. Pomeroy Osgood. Its charter members were: James Beazell, R. W. Graham, William Gibbons, J. F. Meyers, P. Hinckley, R. McGlashan, A. St. Clair, A. A. Overacker, J. T. Campbell, William H. Wright, P. C. Waltonbaugh; the first officers being: J. F. Meyers, N. G.; R. W. Graham, V. G.; P. A. Hinckley, Sec.; James Beazell, Treas.; William Wright, W.; Israel Horton, C.; J. H. Taylor, I. G.; A. St. Clair, O. G.; William Gibbons, R. S. N. G.; J. T. Campbell, L. S. N. G.; N. D. Dutcher, R. S. S.; E. P. Braydon, L. S. S. The officers for the year 1882 are: N. D. Dutcher, J. P. G.; W. F. Mitchell, N. G.; Wendell Jordan, V. G.; O. R. Owens, Sec.; A. G. Beazell, P. G. P., Sec.; R. W. Graham, P. G., Treas. The lodge, which has a present membership of fifty-six, in good standing, is in a flourishing condition, and meets in their own hall, built in 1874, every Thursday evening.

VESPER LODGE No. 62, A. O. U. W.—This lodge was organized October 18, 1878, with twenty-two members, by Deputy Grand Master Dr. Barrows, with the follow-

ing charter officers : James Beazell, P. M. W.; Israel Horton, M. W.; N. D. Dutcher, Foreman; Jesse Bowles, Overseer; George W. Brock, Recorder; A. J. McLeod, Financier; George E. Kennedy, Receiver; F. Malley, Guide; John Aylward, I. W.; R. Case, O. W. The number of members on the roll at present is ninety-five, and the officers for the year 1882 are : C. W. Bradshaw, P. M. W.; B. D. Morrill, M. W.; William Gibbons, Foreman; G. S. Fitzgerald, Overseer; F. A. Anthony, Recorder; G. E. Kennedy, Financier; Israel Horton, Receiver; J. S. Munos, Guide; H. Gardemeyer, I. W.; William Budworth, O. W. Meets at Odd Fellows' Hall every Tuesday evening. They have not lost a single member since organization.

LIVERMORE LODGE, No. 200, I. O. G. T.—This lodge was instituted January 24, 1881, by G. W. C. T., R. Thompson, with sixty-eight charter members, the first officers being : Rev. L. Wallace, W. C. T.; Mrs. A. L. Smith, W. V. T.; F. A. Anthony, W. Sec.; G. W. Langan, W. F. Sec.; George E. Kennedy, W. Treas.; J. R. Swartz, W. M.; Miss Minnie Buckelew, I. G.; P. H. McVicar, O. G.; F. A. Anthony, Lodge Deputy. There are at present eighty-five members on the roll, who meet every Monday evening at the Odd Fellows' Hall. The officers for 1882 are: Joseph May, W. C. T.; May Smith, W. V. T.; G. V. Shearer, W. Sec.; A. K. Anthony, W. F. Sec.; A. Weymouth, W. Treas.; George Munroe, W. M.; Corinne Bardellini, W. I. G.; G. W. Langan, W. O. G.

LIVERMORE COUNCIL, No. 1070, A. L. of H.—This council of the American Legion of Honor was organized by D. S. Van Slack, D. C., December 22, 1882, with the following charter members : L. H. Cutler, G. B. Shearer, Joseph B. Bardellini, D. F. Bernal, William Bradley, William M. Mendenhall, C. J. Pullen, J. A. Wallman, J. H. Harden, C. Schmidt, F. Gonzales, Z. B. Cheney, H. W. Farmer, G. W. Raymond, P. C. Beaufort, M. F. Mack, J. McBride, Martha A. McBride, J. Schock, T. Gerner, A. Schlinghyde, L. Hilton. The present membership is thirty-five, and the original officers who are those now serving are : L. Cutler, G. C.; T. Gerner, V. C.; G. B. Shearer, Sec.; D. F. Bernal, Treas.; Joseph B. Bardellini, Col. Meets in Odd Fellows' Hall on the second and fourth Friday in each month.

THE LIVERMORE PUBLIC LIBRARY.—An organization known as the Livermore Public Library Association was organized in the spring of 1878, by a number of public-spirited men and women of the town, who recognized the advantages of such an institution. By means of public entertainments funds were raised, and a substantial library building, costing \$500, erected during the fall of that year upon the principal business street, the use of a lot having been donated by C. J. Stevens. A debt was thus formed which, though afterwards increased by the purchase of books, was, three years later, entirely paid. The association has now about thirty life members, is the owner of property worth \$800, and is free from debt. The library and reading-room is kept open by a librarian five hours a day, and its use is free to all. The parties most prominent in the organization and building up of this public institution were Israel Horton, W. P. Bartlett, George E. Kennedy, R. W. Graham, Elliott Aubury, Mrs. N. G. Patterson, Mrs. A. W. Bartlett, G. W. Langan, and W. F. Lau-meister. Nearly all the parties above named are still interested in the Library, and

will continue their labors to build up an institution of which that of to-day is but a nucleus, and upon which the Livermorean of fifty years hence may look with commendable pride.

"HERALD."—The *Livermore Herald* was started in January, 1877, by W. P. Bartlett, and has at this writing entered upon its seventh year of publication. It is a four-page, seven-column newspaper, and has been for nearly three years entirely printed in Livermore; is local in character and largely devoted to the advancement of the interests of Murray Township. In fact, much of the growth and development which is now taking place in the town and valley is ascribed by many to the efforts of the *Herald* in behalf of this section. The journal has been conducted to the present time by Mr. Bartlett, its founder and owner, a vigorous writer, who has in addition to his work on the paper, published considerable statistical, descriptive, and historical matter regarding Livermore Valley and other portions of the State. The *Herald* enjoys a wide circulation, both in the township and abroad, and a liberal advertising patronage. It is published on Thursday of each week.

LIVERMORE HOOK AND LADDER COMPANY, NO. 1.—This, the senior company of the Livermore Fire Department, was organized October 12, 1874, with about thirty charter members, who elected the following officers: J. H. Mahorey, President; Anton Bardellini, Vice-President; their trucks being procured from San Francisco. In 1875 a two-story truck-house was erected, partly by subscription and partly by the issuance of stock, on Second Street. The present membership is seventeen, and the officers for 1882 are: W. Jordan, foreman; P. McKeany, First Assistant; F. Sangmaster, Second Assistant; J. F. Meyers, Secretary; F. Malley, Treasurer. The company is under the direction of the Chief Engineer of the Fire Department, and has done good service. They meet in their own Hall.

NIAGARA FIRE ENGINE COMPANY, NO. 1.—This organization was instituted in Exchange Hall, July 12, 1876, with the following members: George E. Freeman, F. A. Anthony, A. M. Jackson, William H. Church, Rod. Church, William S. Low, John T. Campbell, R. N. Caughill, E. P. Braydon, and C. J. Stevens, the first officers elected being: George E. Freeman, Foreman; John T. Campbell, First Assistant; William S. Low, Second Assistant; E. P. Braydon, Secretary; William H. Church, Treasurer. The present company consists of fifty-two members, with the following officers: C. W. Bradshaw, foreman; W. S. Smith, First Assistant; N. D. Dutcher, Second Assistant; Theo. Gorner, Secretary; C. J. Stevens, Treasurer. They hold their meetings at the Town Hall, on the second Wednesday of each month, and have in their charge a double-decker hand-engine, purchased from the Stockton Fire Department in 1876, which is still in a good state of preservation. This company is most active and in a high state of efficiency.

LIVERMORE SPRING WATER COMPANY.—This association was incorporated October 19, 1874, by John Aylward, Robert Livermore, William Gibbons, Valentine Alviso, and M. Mullany, the President of the company being John Aylward, and the Secretary William Gibbons. Water is supplied by the Las Pocitas Springs, two

miles and a half north of Livermore, and is brought in a flume two miles long to two reservoirs, whence it is conducted by pipe and distributed through the town. In 1876 the waters of the Arroyo Mocho were condemned and conducted through pipes five miles in length, to the northern water-works. The Company has three reservoirs with the respective capacity of five hundred and fifty thousand, two hundred and fifty thousand, and six hundred thousand gallons.

WAREHOUSES OF W. WATTERMAN & CO.—The storehouses of this firm were built in the year 1874 by Alexander Esdon, and subsequently sold by him to the present proprietors. They are three in number, and measure respectively three hundred by eighty feet, one hundred by eighty feet, and one hundred by sixty feet, and have a capacity in the aggregate of fourteen thousand tons of grain, while separated therefrom are the hay warehouses, capable of storing two thousand tons. This firm ranks among the largest grain-dealers in Alameda County, and has its buildings nearly always full of grain and hay.

LUMBER YARD OF HORTON & KENNEDY.—This yard was first started in the fall of 1869, by E. M. Derby, who continued it until 1878, when Messrs. Horton & Kennedy became its proprietors, since when it has been conducted by them, they keeping always on hand a large stock of lumber. In connection therewith they are the owners of the famous Horton & Kennedy Enterprise Windmill, manufactured for them in the Eastern States, and also deal in pumps, barb-wire, etc.

WAGON AND CARRIAGE FACTORY OF JOHN AYLWARD.—This enterprise was first located at Mission San José but transferred to Livermore in the month of September, 1879, when Mr. Aylward built his present premises, and has since carried on a general blacksmith and wagon-making business, whence he supplies a large portion of the surrounding country.

LIVERMORE BREWERY.—This enterprise was established in December, 1873, by Messrs. Schwerin & Schobel, who continued it until June, 1874, when W. Jordan located it on First Street, since which time it has been considerably enlarged. It was originally run by horse-power only; in December, 1882, however, a six horse-power steam-engine was introduced to put the machinery in motion; while the capacity is about four hundred barrels per year.

OLIVINA VINEYARD.—This vineyard, the property of Julius P. Smith and managed by J. H. Taylor, is located three miles south from Livermore, on a ranch of two thousand acres, three hundred and fifty of which is planted in vines, which are in a flourishing condition, and promise to be a perfect *bonanza* to the proprietors.

THE LIVERMORE COAL MINES.—The first discovery of coal in Murray Township was made in Corral Hollow, upwards of twenty years ago, by Captain Jack O'Brien, at that time engaged in the sheep business in that vicinity. A company was formed, and for several years the mines were worked successfully. Finally, the entire property was sold to W. T. Coleman, of San Francisco, since which time but little has been done. The vein was about eight feet thick, and the coal of the same quality as

that from the Monte Diablo mines. In 1873 Thomas Harris and Jenkins Richards discovered fine coal croppings in the edge of the Livermore Valley, about three miles north of the Corral Hollow Mines. A stock company was immediately formed, and a copy of articles of incorporation filed by the directors, W. A. Jones, W. Jenkins, T. Harris, J. Richards, and W. W. Wynn, on May 2, 1874. The amount of capital stock was ten thousand dollars divided into twenty thousand shares. Operations were begun immediately, a shaft being sunk to a depth of five hundred feet, at which depth the coal became harder and brighter. From the bottom of this shaft gangways were driven east and west five hundred feet. Large and powerful machinery was erected for the purpose of hoisting, and upwards of two thousand tons of coal were taken from the mine and shipped to different locations along the railroad. This vein is about three feet six inches in thickness, but somewhat mixed with slate.

In 1876 there was discovered another fine vein of coal, four feet in thickness, and perfectly clean, overlying the first vein about one hundred feet, but running under lands owned by private parties. The company expended nearly seventy thousand dollars in the mine, but, owing to the large quantities of foreign coal which were being imported to the district at low rates, they became embarrassed and were compelled to suspend operations.

In the Fall of 1876 another organization was formed, known as the Summit Coal Mining Company. They discovered a vein of pure coal, four feet in thickness, one mile east of the old mine. A shaft was sunk on the vein some three hundred feet, and several hundred tons of coal taken from the mine.

All the coal strata in this vicinity dip to the north, at an angle of about forty-two degrees. The coal, as throughout California, is of a bituminous nature; it is distinguished from the majority of coals by its making a very hot fire with but little blaze or smoke. It is considered excellent for steam purposes.

These mines are in good working condition, with thousands of tons of clean, hard coal in sight, ready to be taken out at any time. At present, work is being carried forward on a scale sufficient for the supply of the towns of Livermore and Pleasanton but the principal mines are closed.

Their situation, however, but eight miles from the town of Livermore, and fifty-five from the city of San Francisco, together with the abundant and excellent quality of the coal, render these mines too valuable to remain idle for any great length of time. It is probable that they will within a few years be developed and worked on a large scale. But a little capital is needed to make this coal-field one of the most flourishing and prosperous on the Pacific Coast.

MIDWAY.—This is simply a station on the line of the Central Pacific Railroad sixty-three and one-half miles from San Francisco, and at present consists of about a dozen houses. It is located near the easterly boundary of the township on the slope to the San Joaquin Valley, and fourteen miles from Livermore. Here in 1855 or '56 Frank Heare put up and occupied what was known as the "Zinc House." The railroad company have no resident agent at this point.

PLEASANTON.—The name of this beautiful village, once called Alisal (Cotton-

wood), is derived, not from its pleasant situation, as many suppose, but was so named by John W. Kottinger, after General Pleasanton, a dashing cavalry officer, who served during the rebellion under General J. C. Fremont in his Missouri campaign; the popular idea, however, is most correct, as it has many beauties of climate and location.

The ground on which the town now stands was, in the year 1839, in common with thousands of acres, granted to Antonio Suñol, Antonio Maria Pico, Augustin Bernal, and Juan P. Bernal. Pico having disposed of his interest to Suñol; he in turn conveyed it to Juan P. Bernal in 1846. Augustin Bernal, however, maintained his residence in the Santa Clara Valley until the spring of 1850, only visiting his newly-acquired possessions once a year to *rodéo* his bands of cattle, the estate during the balance of the year being left in charge of his hirelings.

In 1849 a widow named Wilson who had several grown up sons, moved to the rancho of Juan P. Bernal, and made a contract with the proprietor whereby one of them should act as his *major-domo*. In 1850 Augustin Bernal took up his residence in the vicinity, and built a house at the foot of the mountains, about a mile west of the present town. In August, 1851, there came to this section John W. Kottinger, a native of Austria, who at once erected a house, still standing, on a small eminence near the Arroyo Valle and commenced stock-raising. In September, 1852, Juan Pablo Bernal, brother to Augustin, built his adobe on the opposite side of the creek from Kottinger's, a portion of which is now in the occupation of Joseph F. Black, and thus matters rested until 1857, when Duerr & Nusbaumer opened a store in Kottinger's house, while, in 1859, Charles Garthwaite opened another trading-post opposite the residence of Augustin Bernal, which he continued four years.

During the year 1863 Mr. Kottinger, who had become possessed of a considerable portion of the Bernal estate by marriage, conceived the idea that a town might be established with advantage at Alisal, he therefore put a few lots in the market, which were soon purchased by Jacob Teeters, a blacksmith, William Wittner, a carpenter, and Doctor Goucher, all of whom immediately constructed houses, that of the first being on the site now occupied by the wagon factory of J. A. Bilz, the second, where Doctor Mark now is, and the third, on the land belonging to Mrs. McLaughlin. That same year Joshua A. Neal, a native of New Hampshire, and a pioneer of '47, who had been several years *major-domo* to Robert Livermore, removed to Alisal, and, by marriage with a daughter of Augustin Bernal, acquired over five hundred acres of land, upon a portion of which is situated the present town of Pleasanton. He immediately erected a residence on an eminence overlooking the valley. In 1864 the first public school was opened under the tuition of a Mr. Powell, it being erected to the south of Mrs. McLaughlin's house, and has since been superseded by the present commodious structure. In the following year Mr. Kottinger built the house on the creek bank now occupied by Jacob Johnson, and opened there a store and house of entertainment giving the latter the name of the "Farmer's Hotel." On the site of the Pleasanton Hotel, Anton Bardellini opened a hotel in the year 1867, which forms a portion of that caravansary, there being also a store opened within the building then.

In 1867 Mr. Kottinger made a survey of land in Alisal, with the idea of laying

out a town which he called Pleasanton, and in August, 1868, Mr. Neal, whose lands adjoined those of Mr. Kottinger, made a survey to supplement that of the latter, and began selling building lots on the county road, which is now known as Main Street. On September 20, 1869, Mr. Kottinger had a second survey made by Charles Duerr to agree with the line of the railroad, which was then being built through the valley; Neal also making a second survey, for the same purpose, in the month of December.

The growth of the town was very rapid during the years 1869 and 1870. The building of the railroad through the place and the location of a station there, gave assurance of its permanency, and induced settlers to come in rapidly. Since that time Pleasanton has continued to grow steadily, until it has reached a population of about seven hundred.

The public buildings consist of a large two-story school house, a neat church edifice, and a fine two-story building the property of the Odd Fellows. It also possesses Rose's Hotel, than which there is no more finely-appointed house in the country. There are many fine residences in the town and in the suburbs, nearly all surrounded by well-kept grounds, while the streets are planted with rows of trees on either side, forming a delightful shade, and rendering the place one of the most beautiful and attractive in the county.

As throughout the entire western portion of Murray Township, the country tributary to Pleasanton is held in large ranches, which of course is prejudicial to the interests of the town, and tends in a measure to arrest its growth. Several of these large tracts, however, are being gradually divided into small farms, and sold to settlers, a scheme which will go far towards increasing the prosperity of the town, and at the same time build up and improve the surrounding country.

While it was known as Alisal, the place was recognized as one of if not the most desperate in the county, but with all its lawlessness perhaps there was no scene enacted in it more exciting than that which we append below:—

On Wednesday, September 19, 1866, a desperate encounter took place in Pleasanton, or Alisal, between Harry Morse, Sheriff of Alameda County, and the notorious highwayman and robber, Narcisco Bojorques, in which the latter was wounded. This brigand had long been the terror of the Suñol Valley, having committed both robberies and murders in that locality and throughout the State, causing his name to be feared and dreaded in every household. His rendezvous was in the mountains, from whence he frequently sallied forth into the valley, plundering indiscriminately, and retreating at pleasure to his hiding-place. He had been arrested at various times, but escaped the penalty of his crimes by his shrewdness in having witnesses put out of the way. A short account of the career of this Dick Turpin may not be out of place.

In or about the year 1859 the murder of the Golding family—consisting of husband, wife, and child—occurred in Suñol Valley. The dwelling-house was burned down and the bodies were consumed. A vaquero was found hanging to the limb of a tree at the same time. This quadruple murder was laid at the door of Bojorques, but when the trial came nothing could be proved against him, although he was universally held to be the guilty party. Shortly afterwards, in company with another thief named Quarte about dividing the spoils, Narcisco was too quick for Quarte, the latter falling dead in the roadside at the feet of his chieftain.

His next exploit was performed in connection with Procopio—cousin of the famous robber, Joaquin Murietta. They stole a band of cattle, and took them to Alvarado. Here a warrant was issued for their arrest, but before it could be served, Narcisco succeeded in escaping. Not so with his companion, however. Constable Wood, afterwards of San Leandro, was deputed to arrest Procopio. The latter, after shooting several times at the officer, escaped, and took refuge in the salt-marsh near Alvarado. Here he was surrounded by a party of armed men, who finally captured him. Procopio, for his part in the robbery, served a term of nine years in the penitentiary.

Mariposa County next was visited by Narcisco. Here he committed a robbery, for which he was arrested, but finally discharged, after an incarceration of three months in jail; no witnesses appeared against him.

His latest robbery was that of the butcher Gunnel, near Alisal, about the month of August, 1866. It may be remembered that on that occasion Narcisco rode up alongside the butcher, and, after shooting him, dragged him from his horse, and plundered him of one hundred and twenty dollars in coin.

All these robberies were traced to Narcisco. He knew that the people suspected him, and yet he appeared daily among them, reckless and defiant. Sheriff Morse, in order to get some legal foot-hold to arrest Narcisco, corresponded during a month previously with the Sheriffs of various counties, inquiring whether they had any charges against him. On Wednesday (September 19th), a warrant was received from a Justice of the Peace in Los Angeles County by the Sheriff, ordering him to arrest Narcisco on a charge of grand larceny. The Sheriff started immediately for the Mission San José, where he got on the track of the robber. From the mission the Sheriff went to Foscilini's store in Alisal (Pleasanton), where he learned that Narcisco had passed up five minutes previously, mounted on a stout horse, and having an additional saddle—a new one—in his hand. The Sheriff suspecting that he would return that way, concealed himself in the rear of the store. Half an hour had scarcely elapsed before the robber returned, galloping his horse and whistling. Pulling up in front of the store, he was invited in. He refused, being evidently afraid of an arrest. The Sheriff seeing that he would not dismount, went forward quickly, putting his left hand in his breast pocket to get out a pair of handcuffs. Narcisco detected the officer at a glance. In a moment, and before Morse could lay his hands upon him, Narcisco had him covered with an eight-inch revolver, the distance between the parties, at this time, not being more than six feet. The robber's pistol fortunately missed fire, and before he could repeat, the officer's weapon had sent a shot at him, which failed to bring him to the ground. A second shot took effect in the robber's side, causing him to throw up his arm and give a loud groan. Dropping his pistol, the robber put spurs to his horse, and jumping the animal over a fence into an inclosure, started for the hills. Unable to jump over the fence on the opposite side of the field, the robber dismounted, and started for a ravine close by, followed by the Sheriff afoot. Climbing over the fence, the Sheriff could see the robber in the distance entering the chaparral. Notwithstanding the woods were scoured all night, Narcisco managed to elude his pursuers. An unsuccessful search was also made the following morning by the Sheriff. Parties from the mission, who started out in the forenoon on the 20th of



Hiram Davis

September, to hunt the robber, traced him fully a mile by drops of blood, until they reached a tree, where they discovered a pool of blood. Here the wounded man rested during the night, but was not captured at that time.

PLEASANTON LODGE, NO. 225, I. O. O. F.—This lodge was organized January 17, 1877, by District Grand, H. J. Tilden, with the following charter members and officers: H. Morris, N. G.; John B. Hortenstine, V. G.; Herman Detjens, Sec.; R. J. Butts, I. G.; Dan. McCaw, Treasurer. The present membership is twenty-nine, and the officers for the current year are: James W. Hortenstine, N. G.; William T. Harris, V. G.; H. F. Grasse, Rec. Sec.; J. R. Palmer, Per. Sec.; Herman Detjens, Treas. The lodge is in a flourishing condition, and hold their meetings every Tuesday evening in Detjen's Hall.

CARRIAGE AND WAGON FACTORY OF J. A. BILZ.—In the Fall of the year 1865 Mr. Bilz came to Alisal, or Pleasanton, and started in a small building where his factory now stands. In 1868 he erected his present extensive premises, in dimensions one hundred by one hundred feet, where he manufactures wagons, carriages, buggies, etc. In August, 1882, he received a patent for Bilz Excelsior two-wheeled buggy. The firm also does general blacksmithing, while the factory is supplied with all the most improved machinery, engines, etc.

SUÑOL.—The village of Suñol and the valley in which it is situated derive their names from the family whose possessions, as we have elsewhere said, extended throughout this section of the country. It is situated on the line of the Central Pacific Railroad, and is six miles west of Pleasanton. Here in 1865 a school was started under the tuition of Mrs. Sam. Brown, while the first store in the section was opened by George Foscalini, where what is at present known as Scott's store now stands. In 1862 the Argenti Hotel was kept by a Frenchman named Bertrand.

This village, like many others, sprang into existence at the time of building the railroad, and, owing to the fact that the entire region tributary to it is held in large ranches, by a few men, has grown little since. The Suñol Valley and adjacent foothills and cañons are much resorted to by camping parties during the summer months, on account of their wild and beautiful scenery and accessibility.



OAKLAND TOWNSHIP.

GEOGRAPHY.—Oakland Township is bounded on the north and east by Contra Costa County ; on the south by Brooklyn and Alameda Townships ; and on the west by San Francisco Bay.

TOPOGRAPHY.—Like the other townships bordering upon the bay, that of Oakland is faced with a considerable area of marsh-lands, in the rear of which is a wide fertile stretch backed by undulating foot-hills which culminate in the summits of the Contra Costa Range.

VALLEYS, STREAMS, ETC.—Oakland Township does not boast of any valleys of consideration, although there are several delightfully situated cañons which have been utilized as sites for handsome residences and grounds. It has no water-way that could be dignified by the name of a stream, save the Temescal Creek, while on its confines are the estuary of San Antonio and Lake Merritt.

CLIMATE.—So much has been written about the climate of Oakland that little is left for us to say. The northern portion of the township has the full force of the summer winds as they come sweeping through the Golden Gate. That portion occupied by the city of Oakland is preferable. The death-rate is about one-half that of San Francisco—a fact that is of itself sufficient proof of the remarkable healthfulness of the city. The afternoon winds that prevail in San Francisco during the summer months reach Oakland with diminished force ; the close proximity of the hills in the rear of the city and the many large and stately trees serve as a protection. There are other reasons perhaps difficult of comprehension, but the fact is well known that when the winds prevail in San Francisco with great violence, only moderate breezes are felt in Oakland. The sea fogs of summer which roll in from the ocean vanish from Oakland several hours before they cease to overshadow San Francisco. Perfect immunity from wind and fog can be found only in the interior, but intensely hot and scorching weather is an annoyance that far more than counterbalances the pleasure to be derived from a sky that is always clear, and freedom from the ocean mists.

SOIL AND PRODUCTS.—Like that of the other townships described the soil of Oakland is of wonderful fertility, producing to rapid maturity all manner of seeds or shoots that may be committed to its nurture.

TIMBER.—Save the oaks which gave it its name, and which unhappily, though necessarily, are fast disappearing, there is no indigenous timber in the township. With the settlement of the country its face has been entirely changed, and where trees were they have vanished, while where they were not extensive groves now show themselves.

MEXICAN GRANTS.—Oakland Township is situated on the San Antonio Rancho

granted to Don Luis Peralta by Don Pablo Vicente de Sala, August 16, 1820, and on that portion of it which was afterwards given to his sons Domingo and Vicente Peralta, the first-named receiving the portion on which Berkeley now stands, and the latter the site of the city of Oakland, who received a patent for 18,848.98 acres, February 10, 1877.

EARLY SETTLEMENT.—It will be unnecessary for us here to produce any remarks upon the early settlement of the township. Our space is too limited for such a gigantic affair. Suffice it to say that this has been carefully followed in our histories of the city of Oakland and town of Berkeley, and as these have been compiled in chronological order the reader will have no difficulty in following the march of events. A history of Oakland City itself is a monstrous undertaking, but such as we have done we place before the reader with no fear of captious criticism.

CITY OF OAKLAND.

Cannot the reader bring before him with vivid distinctness the rapture with which Governor Portala looked down upon the noble bay of San Francisco on the morning of November 3, 1769. With the spirit which made the victorious Romans exclaim, "Ecce Roma! Ecce Tiber!" as they first saw a Scottish vale, with its undulating hills and wide-sweeping river, that reminded them of their beloved Rome, so also did these handful of travelers describe our beautiful harbor, as it was surveyed by them for the first time from the San Mateo Mountains, as another Mediterranean Sea. To the north and to the south it lay in placid sublimity at their feet, glistening in the sunshine of that warm November morn. — On the opposite coast—the Contra Costa—they beheld the sylvan shades of where is now the prosperous city of Oakland, and the wealth of foliage of the peninsula of Alameda, and Temescal. It was a scene to be enjoyed in deep silence and in great awe, for here the Divine Hand had outdone itself in producing a picture of the rarest excellence. The grandeur of mountain scenery causes the soul to thrill and the pulse to quicken, but sylvan beauty brings with it a contentment to the heart that drives bitterness away and leaves a calm serenity.

It is chronicled that the voyagers rounded the bay, and it is asserted by no less an authority than Gen. M. G. Vallejo that Don Pedro Fages and Father Crespi led an expedition to the valley of the San Joaquin from Monterey by way of San Pablo and Martinez, and passed by the Oak Grove Encinal. Thus have we the first ascertained visit to the territory now comprised in the city of Oakland. From that date until the year 1820 we know nothing from absolute fact, but of this we may be assured, that the crews of those whalers and other sailing-vessels that visited the coves of Saucelito and Yerba Buena for water had many a time and oft gazed upon its wonderful loveliness, and mayhap have landed upon its tempting shores in quest of game.

And now came the first settler; let it be our task to introduce him to the reader.

Four and twenty years before the present century had dawned there came to the Presidio of San Francisco, in the capacity of a soldier, Luis Maria Peralta, a native of Tubac, in Sonora, who was born about the year 1758, for we find it stated in a list of the soldiers connected with the presidio in the year 1790 that Luis Maria Peralta was a soldier, aged thirty-two, and his wife, Maria Loretta Alviso, was aged nineteen years. He again figures in an inventory of the rich inmates of the Presidio, taken in 1793, as being among the "warm" men of the time. He then owned *two head of stock*, the small beginning from which sprang his immense herds of the future. By his union with the Señora Alviso there were born to him ten children—five sons and five daughters, the names of the former being Cresanto, Ygnacio, Domingo, Antonio Maria, and Vicente, and of the latter, Teodora, Trinidad, Josefa, Guadalupe, and Maria Louisa. On August 16, 1820, on account of distinguished and meritorious services descending through a long series of years, forty in all, Don Luis Maria Peralta was granted a tract of land which would cast many a principality into the shade, as it was full five leagues in extent, and was bounded on one side by the "deep creek of San Leandro" to "a hill adjoining the sea-beach"—a shapely knoll near the San Pablo Road, and which is the extreme northwestern point of Alameda County. Let us attempt to explain what this grant meant. It meant that this obscure soldier suddenly was raised to a pinnacle of fame as one of the largest landed proprietors of Upper California; it meant that he had been instantly placed with wealth in his grasp; and it meant that he had, in the twinkling of an eye, become the owner of a domain the soil of which is not to be excelled in any portion of the world. Had his horoscope but been cast, and the knowledge of to-day been foretold, what vast wealth would have been his; yet, mayhap, the city of Oakland would not have been. Peralta himself never resided upon the Rancho de San Antonio, but maintained a domicile at the Pueblo de San José. He also had another grant in the Santa Clara Valley. Consequently, the district with which we are connected remained uninhabited for several years by any one save swarthy vaqueros and a few Indians. In the mean time—in 1842—he had divided the San Antonio Grant among his sons, and to Vicente and Antonio Maria fell the portion now comprised within the incorporated limits of the city of Oakland; each took possession of his estate and built houses of adobe, that of the former being situated a little north of Temescal, and that of the latter at Fruit Vale. There they dwelt, strong in the assurance that their broad acres would descend to their children's children.

"And now the greedy, blue-eyed Saxon came." Immigration had commenced, and longing eyes had been cast upon the fair lands of the rancheros, by the few. Next war broke out, and erelong the flowery standard was waving in triumph on the Californian coast. Then came the wild delirium consequent upon the discovery of gold, when the country was inundated with a vast population of every creed, tongue, and clime. These new-comers coveted the lands of the Peraltas; traps were laid, and, in due course of time, the original owners became strangers in the place.

When it had first been seen that a city must necessarily be built somewhere on the bay of San Francisco, a cursory examination was made of the Contra Costa shore. The village of Yerba Buena did not offer many flattering inducements to men seeking to found a city, because its steep hills came down to the water's edge,

and the most casual observer could not fail to note the vast amount of labor that would be required to level off these hills and fill in the bay so as to make room for the thousands of buildings that must be quickly erected. But the temporary difficulties on the eastern side of the bay were still more grave. A flat extended out for a distance of two miles, timber suitable for the purposes of wharf-building was not easily obtained and commanded an enormous price, and no hope was entertained of building the metropolis on the present site of Oakland.

The sandy peninsula was covered by a dense growth of oak-trees, which subsequently gave to the place its name, and beneath the trees were numerous thickets of chaparral and tangled underbrush. Some four miles to the north was the residence of Vicente Peralta, and around it were settled a few other native Californians. The only use made of the peninsula of Oakland was to obtain from it the necessary supplies of fuel. At some remote period there had been Indian camps upon the northern bank of the San Antonio Creek, and the mounds, composed mainly of oyster-shells, are not yet entirely obliterated. San Pablo was a flourishing sub-mission, and San Antonio (Brooklyn) was a town before there was a solitary settler in Oakland. Indeed, for a year or two after the settlement of Oakland, San Antonio was in advance. It had been, as we have shown, an embarcadero, from which were shipped the lumber from the redwoods, and the hides and horns collected in the adjoining country.

The first actual settler in what is the city of Oakland is Moses Chase, who pitched his tent at what is now the foot of Broadway in the winter of 1849-50, and commenced hunting. Here he was found by the Patten Brothers on their arrival in February, 1850, which we have mentioned in the history of Brooklyn Township. Next came Col. Henry S. Fitch, and Colonel Whitney, who made an unsuccessful attempt to purchase the tract of land, and then in the summer of 1850 appeared the much-abused trio, Moon, Carpentier, and Adams, who squatted upon the land, holding that it belonged to the Government and not to Peralta, and erected a shanty near the foot of Broadway of to-day. The Spanish owner now made an attempt to oust these men, and got a writ of ejectment from the County Court at Martinez, and, says Mr. Halley, "a posse of men, under Deputy Sheriff Kelly, was sent to eject them." This was never done, and the upshot of the whole affair was that Moon, Carpentier, and Adams *obtained a lease* of a number of acres of land on certain conditions; they then laid out a town, and, be their short-comings what they may, were the first persons to attract public attention to Oakland, and soon they were joined by many others. The part of the city then laid out was its eastern portion, that bordering on San Antonio Creek, of which they made a map, and in accordance with its lines sold lots and blocks, giving quitclaim deeds, transferring their right, title, and interest. They erected the first buildings, and were the actual founders of the city.

During the first few years after the settlement of the city it was the popular belief that the "Squatter Title" was valid, and most of the property was purchased from those who had originally taken possession. After the amount of litigation that is usually required to establish the legality of a Mexican grant, the Peralta title obtained recognition, and has withstood every attack subsequently made upon it. We append the outlines of an abstract of title to any city lot:—

1. Grant from the Mexican Government to Luis Maria Peralta, of the "Rancho

San Antonio," embracing the lands upon which the city of Oakland is located,* dated October 18, 1822.

2. In 1842 Luis Maria Peralta made a division of the Rancho San Antonio among his four sons, Ignacio, Antonio, Domingo, and Vicente, and put them in possession of their respective portions. Vicente Peralta received that portion on which the city of Oakland is situated.

3. In 1851, Luis Maria Peralta executed an instrument purporting to be a will, wherein he ratified and confirmed the division of the Rancho San Antonio among his four sons, which instrument, the Supreme Court of California says, estops the heirs of Luis Maria Peralta from denying said gift to his sons. [See 17 Cal. Repts., *Adams vs. Lausing*.] The invalidity of title derived from the other heirs than the sons of Luis Maria Peralta is also declared by the United States Supreme Court, in a case growing out of the "Pretermitted Heirs" title, decided in the early part of 1872.

4. In 1854 the Board of Land Commissioners confirmed the northern portion of the Rancho, embracing the city of Oakland, to Vicente and Domingo Peralta; and the same was afterwards, in 1855, confirmed by the United States District Court, and still later, at the December term in 1856, by the Supreme Court of the United States. [See 17 Howard.]

5. Ignacio, Antonio, and Domingo Peralta to Vicente Peralta release and deed all of their interest in and to that portion of the Rancho embracing the city of Oakland. Dated November 28, 1853. Recorded in Liber "8" of Deeds, Recorder's office, Alameda County.

6. Vicente Peralta to John Clar ($\frac{1}{6}$); B. De La Barra (1-12); Joseph K. Irving ($\frac{1}{4}$); Jacob A. Cost ($\frac{1}{4}$); John C. Hays and John Caperton ($\frac{1}{4}$). Deed dated March 13, 1852. Recorded in Contra Costa County, in which Oakland was at that date situated.

7. John Clar to J. K. Irving, deed of his interest, February 7, 1852. Recorded in Contra Costa County.

8. B. De La Barra (1-12) deed to J. K. Irving, J. M. Goggin, and William Claude Jones; William Claude Jones to Eugene Casserly; J. M. Goggin and Eugene Casserly to J. K. Irving, Hays, Caperton, and heirs of Cost, deceased.

9. J. K. Irving, party of the first part; John C. Hays and John Caperton, parties of the second part; Anna R. Poole, Catherine S. Lyons and her husband, Joseph Lyons; Serena S. Young and her husband, Alexander H. Young (heirs of Cost, deceased), "by William Poole, their attorney," execute a partition deed, duly proven, certified to, and recorded in Alameda County.

10. Power of attorney from Anna R. Poole *et al.*, heirs of Cost, to William J. Poole, June 14, 1853.

11. Power of attorney to Montgomery Blair, from same parties (except Serena S. Young, who was deceased, and left minor heirs, for whom Alexander H. Young signed as guardian) February 2, 1852.

12. Proceedings in Probate Court in the same year, by which the interest of the minor heirs of Serena S. Young became vested in Alexander H. Young.

13. Another partition deed to correct errors in description of lands not blocked

* This does not refer to East Oakland.

off in former deed, reciting and approving the former; the same in all other respects, between the same parties (except in place of Serena S. Young, deceased, was Alexander H. Young, "by M. Blair, their attorney in fact"). Dated May 1, 1854.

14. Deed from Anna R. Poole to John C. Hays, ratifying and confirming the former deed of partition, and confirming the acts of Blair and Black as agents, September 1, 1858.

15. Similar deed to Hays *et al.* from Joseph Lyons and wife, November 10, 1858.

16. Similar deed to Hays *et al.* from Alexander H. Young, March 27, 1860.

Subsequent to the chain of conveyances traced, title is vested in numerous owners, there being no other general claims. All the technicalities and defects which ingenuity can discover have been brought to notice. The numerous adverse titles had for years hung over property-holders like an incubus, and, in the early part of the year 1869, the people began an organized movement to defeat them. The position of affairs was somewhat critical. The city was rapidly growing, and to allow the idea to go abroad that titles were insecure, would check the progress of the city and cause incalculable mischief. Sound business policy overcame the desire to make a bitter fight, however, and the holders of the claims were induced to dispose of them at rates that were trivial. The specific claims were the Pretermitted Heirs' title, the Sisters' title, the Irving title, and the Cost title, and these comprised all general titles asserted by anybody to land within the city of Oakland. These titles were by their several owners conveyed to Henry Hillebrand, the City Clerk, who acted as a trustee, and by him conveyances were made to the several property-holders. Nearly all the land in the city is now held by a perfect title, the Hillebrand deeds removing all the clouds. These titles, except the Cost title, still cloud property outside of the old charter line. The principal ones—the Sisters' and the Pretermitted Heirs'—are virtually defeated, and the property-holders, to save trouble and annoyance, have quite generally purchased the other claims.

The Kate Hayes' title covers that portion of Oakland Township outside of the "Encinal Line," as laid down on the map. The Supreme Court of the State has sustained a decision rendered by E. W. McKinstry, Judge of the late Twelfth District Court, granting a new trial on the motion made by the defendants (the property-holders). That decision was fatal to the claim, which in itself was but for a trifling interest.

Let us now take up the history of Oakland from the year 1852:—

1852.—In accordance with the provisions of the Act entitled "An Act to Provide for the Incorporation of Towns" (passed March 27, 1850), in the year 1852 Horace W. Carpentier, who was a lawyer by profession, and had held an official position in the Legislature, had passed, on May 4th, an Act incorporating the Town of Oakland, the boundaries of which were declared to be as follows: "On the northeast by a straight line at right angles with Main Street, running from the Bay of San Francisco, on the north to the southerly line of the San Antonio Creek or estuary, crossing Main Street at a point three hundred and sixty rods northeasterly from 'Oakland House,' on the corner of Main and First Streets, as represented on Porter's Map of Contra Costa, on file in the office of the Secretary of State; thence down the southerly line

of said creek or slough to its mouth in the Bay; thence to ship's channel; thence northerly and easterly by the line of ship's channel to a point where the same bisects the said northeastern boundary-line." Section Two of the Act declared the corporate powers and duties of the town to be vested in a Board of Trustees to consist of five members, to be elected on the second Monday of May in each year, who were to hold office for the term of one year, provided that they should receive *no* compensation for their services; and Section Three stated what should be their official duties. On May 1, 1852, the town charter was signed at Benicia, where the Legislature was in session, by Richard P. Hammond, Speaker of the Assembly; Samuel Purdy, President of the Senate, and approved on the same date by Governor John Bigler.

The election was duly held, and A. W. Burrell, A. J. Moon, Edson Adams, Amédée Marier, and H. W. Carpentier chosen, the latter of whom, however, did not qualify; and on the 12th of May they held their first meeting in the office of Mr. Justice Adams. At this time, only Messrs. Marier, Burrell, and Adams presented their certificates of election, who, on having the constitutional oath administered to them, took their seats under the temporary presidency of Mr. Marier, with Mr. Burrell acting as Secretary. The charter having been ordered transcribed on the minutes of proceedings, the Board passed Ordinance Number One, entitled "An Ordinance to fix the time and place of holding stated meetings of the Board of Trustees," and thus was the official machinery of Oakland set in motion. On the 17th Andrew Moon took his seat at the Board, Mr. Marier being elected permanently to fill the presidential chair, and F. K. Shattuck to perform the duties of Town Clerk. Besides these transactions, the following Ordinances were passed: "An Ordinance declaring certain streets public highways," "An Ordinance concerning bonds of officers," and "An Ordinance for the disposal of the water-front belonging to the town of Oakland, and to provide for the construction of wharves."

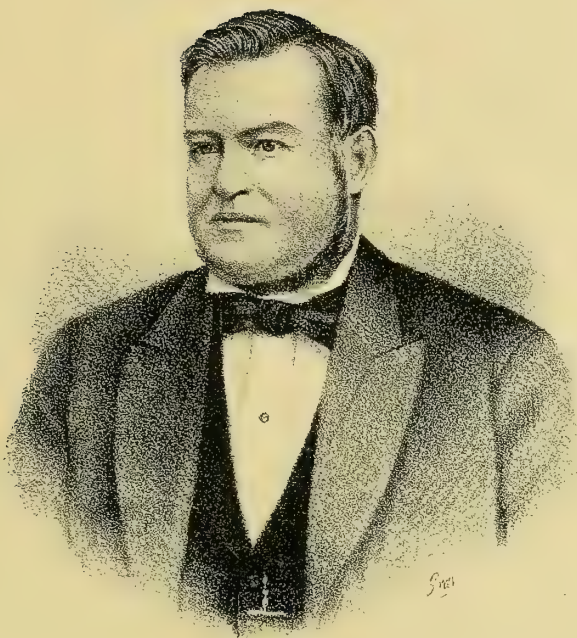
What the passage of this ordinance has been to Oakland will now be our duty to explain.

On May 17, 1852, there was introduced by A. W. Burrell, one of the Board of Trustees, "An Ordinance for the disposal of the water-front belonging to the Town of Oakland, and to provide for the construction of wharves," and which was as follows:—

The Board of Trustees of the Town of Oakland do ordain as follows:

SECTION ONE.—The exclusive right and privilege of constructing wharves, piers, and docks at any points within the corporate limits of the town of Oakland, with the right of collecting wharfage and dockage at such rates as he may deem reasonable, is hereby granted and confirmed unto Horace W. Carpentier and his legal representatives, for the period of thirty-seven years; provided that the said grantee or his representatives shall within six months provide a wharf at the foot of Main Street, at least twenty feet wide, and extending towards deep water fifteen feet beyond the present wharf at the foot of said street; that he or they shall within one year construct a wharf at the foot of F street or G Street, extending out to boat channel, and also within twenty months another wharf at the foot of D Street or E Street; provided that two per cent. of the receipts for wharfage shall be payable to the town of Oakland.

SECTION TWO.—With a view the more speedily to carry out the intentions and purposes of the Act of the Legislature, passed May 4, 1852, entitled An Act to incorporate the town of Oakland, and to provide for the construction of wharves thereat, in which certain property is granted and released to the town of Oakland, to facilitate the making of certain improvements; now, therefore, in consideration of the premises herein contained, and of a certain obligation made by said Horace W. Carpentier with the town of Oakland, in which he under-



Peter Mathews

takes to build for said town a public school house, the water front of said town, that is to say, the land lying within the limits of the town of Oakland between high tide and ship channel, as described in said Act, together with all the right, title, and interest of the town of Oakland therein is hereby sold, granted, and released unto the said Horace W. Carpentier and to his assigns or legal representatives, with all the improvements, rights, and interests thereunto belonging.

SECTION THREE—The President of the Board of Trustees is hereby charged with the duty of executing on behalf of the town of Oakland a grant and conveyance in accordance with the provisions of this ordinance.

May 27, 1852.

A. MARIER, *President of the Board of Trustees.*
F. K. SHATTUCK, *Clerk of the Board of Trustees.*

In consonance with the provisions of the third section of the above ordinance therefore, Carpentier obtained from Mr. Marier, the President of the Board of Trustees, the accompanying deed:—

Know all men by these presents that I, Amédée Marier, President of the Board of Trustees of the town of Oakland, in the county of Contra Costa, and State of California, in conformity to the provisions of an ordinance passed by said Board of Trustees bearing date May 27, 1852, and entitled "An ordinance for the disposal of the Water Front, belonging to the town of Oakland, and to Provide for the Construction of Wharves," and by virtue of the authority vested in me as said President of the Board of Trustees by the Constitution and Laws of the State of California, and especially by an Act of the Legislature approved May 4, 1852, and entitled "An Act to Incorporate the town of Oakland and to Provide for the construction of Wharves thereat," in my official capacity as said President, and in view of the public convenience, have granted unto Horace W. Carpentier and his legal representatives, the exclusive right and privilege of constructing wharves, docks, and piers, at any point or points within the now corporate limits of the town of Oakland, with the right of collecting wharfage and dockage for the period of thirty-seven years, and in consideration of the covenants hereinafter mentioned, and of five dollars paid to the town of Oakland, the receipt whereof is hereby acknowledged, in obedience to the ordinance aforesaid, and by virtue of the authority as aforesaid vested in me as President of the Board of Trustees as aforesaid, now by virtue of said office I have sold, and by these presents do sell, transfer, grant, and release unto the said Horace W. Carpentier, and his legal representatives, all the right, title, and interest of the said town of Oakland, in and to the Water Front of said town, that is to say, all the land lying within the now corporate limits of the town of Oakland, and situated between high tide and ship channel, as granted to said town by, and as described in the said above entitled Act, to have and to hold the same, provided: That the said Carpentier or his legal representatives shall within six months provide a wharf at the foot of Main Street at least twenty feet wide and extending towards deep water fifteen feet beyond the present wharf at the foot of Main Street; that he or they will, within one year, construct a wharf at the foot of F Street or G Street, extending out to boat channel, and also, within eighteen months, another wharf at the foot of D Street or E Street, and provided also that two per cent. of the receipts for wharfage shall be payable to the town of Oakland. In witness whereof, I, the said President of the Board of Trustees of the town of Oakland, have hereunto set my hand and private seal at Oakland, May 31, 1852.

[Signed]

A. MARIER,
President of the Board of Trustees.

Signed, sealed, and delivered in the presence of T. C. GILMAN.

STATE OF CALIFORNIA,)
COUNTY OF SAN FRANCISCO,) ss.

On this first day of June, A. D. 1852, before me, R. S. Lammott, a Notary Public, duly commissioned and sworn in and for the county aforesaid, personally appeared Amédée Marier, to me known to be the person described in and who executed the foregoing conveyance, who acknowledged that he executed the same freely and voluntarily, and for the use and purposes therein expressed.

Witness my hand and seal of office on the day and year last above written:

[Signed]

ROBERT S. LAMMOTT.

In consideration of the above grant, and of the premises, I, Horace W. Carpentier, do hereby covenant and

agree to carry out the objects and purposes of this grant and conveyance, to construct the wharves as herein provided for and to build for the town of Oakland a public school house agreeably to the terms of an obligation in reference thereto, made by me and bearing earlier date.

In witness whereof I have hereunto set my hand at Oakland, May 31, 1852.

[Signed]

H. W. CARPENTIER.

Signed, sealed, and delivered in presence of T. G. GILMAN.

Filed for record the 12th day of January, 1853, 11 o'clock A. M. THOMAS A. BROWN, County Recorder.

Recorded Vol. 2, page 328, Recorder's office, Contra Costa County, 12th January, 1853.

[Signed]

THOMAS A. BROWN, *County Recorder.*

It is to be assumed that Carpentier lost no time in unnecessary delay, for on December 30, 1852, the ordinance entitled "An Ordinance to approve the wharf at the foot of Main Street, and to extend the time for constructing the other wharves," was introduced, and is as follows:

THE BOARD OF TRUSTEES OF THE TOWN OF OAKLAND DO RESOLVE AND ORDAIN AS FOLLOWS:

SECTION ONE.—The Board of Trustees having examined the wharf built by Horace W. Carpentier at the foot of Main Street in said town, and having had the matter under consideration, do find that the same is built and completed to their entire satisfaction, and according to the terms and within the time specified in an ordinance of the Board passed May 18, 1852, and entitled, "An Ordinance for the disposal of the Water Front belonging to the town of Oakland, and to provide for the construction of Wharves," and to accept the same.

SECTION TWO.—In consideration of the memorial of the said Carpentier to this Board, and of five dollars paid by him to the Treasurer of the said town, the time allowed to the said Carpentier in which to construct a wharf at the foot of F Street or G Street, extending out to boat channel, as required in said ordinance above recited, and in the dual conveyance to said Carpentier of the Water Front of said town, is hereby extended for the period of twelve months from the expiration of the time limited and expressed in said Ordinance and Conveyance, and the time for building a wharf at the foot of D or E Streets is hereby extended in like manner for the term of eight months from its expiration.

The ordinance was passed January 1, 1853.

Mr. Carpentier at once entered upon his newly acquired possessions, and in accordance with the ordinance and its provisions, on the 30th December made a report respecting wharfage, accompanied by an affidavit that the due percentage of wharfage and dockage had been paid to the town of Oakland, up to date. On July 12, 1853, he reports, in further contemplation of what was required from him, that "I have built a substantial, elegant, and commodious school house for said town, which is now completed and ready for delivery. In the plan and construction of the building I have intended to go beyond rather than to fall short of the obligation of my contract. I would also state for the official information of the Board that a *free school* is at present maintained at my expense in the building above referred to, which, I am happy to inform you, is well attended and promises to be the beginning of an important system of free schools. I herewith transmit to you a conveyance of the school house together with a deed for the lots upon which it is erected; I trust that the building will meet your approval, and that the additional present of the lots will prove acceptable to your Honorable Body." This "substantial, elegant, and commodious" building stood near the corner of Fourth and Clay Streets, but would hardly be recognized from the foregoing description. On the 26th August Mr. Carpentier addressed the following communication to the Board of Trustees which speaks for

itself: "In pursuance of my contract with the town of Oakland in accepting the conveyance of its water front, I have already expended about twenty thousand dollars in wharves, besides those referred to in said contract, at a very heavy expense. Believing that the wharfage will be the source of but little profit to myself, and that exemption from wharfage might be pleasing to some who seem to regard the wharves as at present conducted as a monopoly to be complained of, I propose to abandon the collection of wharfage, *provided*, the Board of Trustees will undertake perpetually to keep all the wharves in good order and repair. As some of my plans may be altered by your decision and as those plans would suffer from delay unless this proposal be accepted at the next meeting of the Board, I shall consider it as withdrawn and void." These propositions were, however, declined on the following day, but an ordinance was passed at the same time, entitled, "An Ordinance concerning Wharves and Water Front," whereby, on the completion of the wharf at the foot of Main Street (Broadway), and satisfactory arrangements being made in respect to the others—that is the handing over of the school house, etc.—the water front of the town of Oakland would be granted to Carpentier "in fee simple forever."

It was now felt by the citizens of Oakland that the Board of Trustees had overstepped the bounds of their legitimate authority, that it was not in their power to sell, grant, or release unto any individual, for any consideration, what had been ceded to them in trust for the benefit of the people; therefore with one consent they rose in their majesty and demanded from the Board of Trustees that legal proceedings should be instituted forthwith to recover the water front, which belonged to them. This petition is not among the city records, but was presented September 10, 1853, and on the 19th the committee to whom the matter was referred made a report in writing, recommending that the prayer be not granted, a suggestion which was unanimously adopted on the motion of Trustee Edson Adams.

And now the controversy assumes another phase. Immediately after the signing of the deed which conveyed the water front to him, Carpentier places himself in communication with his niece in New York, Harriet N. Carpentier, and from her receives an absolute power of attorney "to purchase, rent, receive, and hold property, real or personal" in the State of California, "and to sell, lease, grant, assign, and convey any and all property, either which I now hold or which I may hereafter acquire in said State, using his entire discretion in the premises," under date June 14, 1852. Then, on January 18, 1853, he sells one-fourth undivided interest of the water front to Edward R. Carpentier, who was at the time Commissioner of Deeds for the State of California and residing in New York, for the sum of two thousand eight hundred and fifty dollars, together with an equal one-fourth of all rights, titles, and claims either present or prospective; and, on August 2, 1854, while Mayor of the city of Oakland (to which office he had been elected in the month of April of that year), he disposes of the remaining three-fourths to Harriet N. Carpentier, for the sum of sixty thousand dollars. We next find, under date April 4, 1855, Harriet N. Carpentier purchasing from Edward R. Carpentier all the "right, title, claim, and interest in and to the water front of the city of Oakland, in the county of Alameda, State aforesaid, that is to say, all the lands or land and water lying within the limits of said city between high-tide mark and ships' channel, the same being the one

undivided one-fourth part of the premises herein before described" for the sum of twelve thousand dollars; and on August 16, 1855, John B. Watson sells the entire water front property to Harriet N. Carpentier for the sum of six thousand dollars. How it ever passed into the hands of Mr. Watson, however, is a matter of the profoundest mystery; no official records divulge the secret, neither are we in a position to state why these inscrutable transfers should have taken place, nor is it our duty to hazard conjecture on the subject.

But let us have a glance at what was transpiring on the spot. On December 5, 1853, Horace W. and Edward R. Carpentier executed a lease to Edson Adams and Andrew Moon, "for the period of twenty years, an equal, undivided two-third interest" in and to the following described premises in the town of Oakland, county of Alameda, California, the same being a beach and water lot, bounded as follows: Commencing at a point in the easterly line of Broadway, protracted four hundred and twenty feet southerly from the southern line of First Street; thence running easterly on a line parallel with First Street one hundred and five feet; thence running northerly on a line parallel with Broadway fifty feet; thence running westerly on a line parallel with First Street one hundred and five feet to the easterly line of Broadway continued; thence southerly along said line fifty feet to the place of beginning, being the same lot on which the store-house erected by the said parties is now standing," for the sum of two thousand dollars. It is in this transaction that either Edson Adams or Andrew Moon appear in the roll of lessees, although it was pretty generally acknowledged that the former claimed one-half of the entire property, and, indeed, did eventually obtain his share by forcible measures, subsequently selling it to the Central Pacific Railroad Company for a large sum.

We last left the citizens of Oakland entertaining a dim idea that all was not as it should be in regard to the transfer of the water front to Horace W. Carpentier, and that the Board of Trustees had declined to entertain their petition that steps should be taken to recover them. For this and several other cogent reasons a riot was apprehended; therefore, on October 22, 1853, it was ordered that "circumstances appearing to endanger the destruction by riot of the town records, the clerk is authorized to remove them to a place of safety." This was done, a fact which may account for the non-appearance of several very valuable documents. That the exasperated mob took their revenge upon the property of Carpentier is, however, to be gleaned from the statement of the records, as on November 19th of the same year we find that the President laid before the Board of Trustees a certified copy of a summons and complaint in the case of Horace W. Carpentier *versus* The Town of Oakland, in a suit for four thousand five hundred dollars, damages to the plaintiff's property from a mob or riotous assemblage, to which, on motion of Mr. Moon, the President, an answer was directed to be filed. This was ordered to be transferred, by consent, from the District Court of Alameda County to the Superior Court of the city of San Francisco on January 18, 1854, and on the 11th February H. P. Watkins was employed as counsel to defend the cause, but on February 18th an ordinance was passed compromising the suit.

And now followed the incorporation of the city of Oakland on March 25, 1854, and in accordance with the charter an election was duly held, and Horace W. Car-

pentier receiving one hundred and ninety-two votes was chosen the first Mayor, who, on April 29th, forwarded to the City Council his first message, an able and exhaustive document. But soon the air became oppressive, for trouble commenced to break through the clouds; the councilmen elected were decidedly antagonistic to Mr. Carpentier, and to his claims upon the water front. Besides, the Board of Trustees displayed much unwillingness to transfer the papers and public moneys in their charge to the newly-elected City Council, although they subsequently did so in a very confused and incomplete condition, that is, as regards the papers, for the treasury had been attached in the hands of the Marshal by Colonel John C. Hays, and legal process was necessary to release it. The storm soon burst. On August 5, 1854, at the meeting of the City Council, Alderman A. D. Eames presented Ordinance No. 34, entitled, "An Ordinance to provide for the construction and maintenance of a Wharf in the city of Oakland," and which reads as follows:—

SECTION ONE.—For the purpose of facilitating the commerce of said city and the travel to and from the same, there shall be and there is hereby established a street and wharf from a point on the Encinal in the southerly part of the city limits (to be selected and designated as hereinafter provided) to the nearest deep water in a westerly direction from said point and within the city limits, on the following conditions, viz.:

SECTION TWO.—There is hereby granted to the person or persons who shall become the best bidder for the same under the following conditions—the right and franchise of building a wharf and collecting the wharfage thereon, on a wharf to be constructed at said point and to said deep water, for the term of fifty years.

SECTION THREE.—The said grantee or grantees shall also have the right to take, use, possess, and enjoy for said term of years a lot, strip, or parcel of land and water one hundred yards in width along the line of said wharf from the beach to the boundary line of the city.

SECTION FOUR.—Said grantee or grantees shall have the right to form an association and stock company for the construction of said wharf, or to make the same into stock of convenient shares.

SECTION FIVE.—The said right of franchise for the construction and maintenance of said wharf, together with the use of the land for the same, shall be offered at public auction as required by the charter of said city, and the person or persons responsible for the same, who will offer the largest percentage on the business of said wharf, shall be declared the best bidder, and to him and them shall be awarded the said right, title, and franchise for the term aforesaid.

SECTION SIX.—It shall be the duty of the Council to enter into a written covenant with the said contractor and grantee, expressing the foregoing contract and conveying such franchise, and the use of said land in appropriate language.

SECTION SEVEN.—There is hereby granted to said grantee or grantees, the exclusive right to regulate the use, terms of landing, and rates of wharfage of said wharf, land and water, to the extent above expressed, providing they don't exceed the rates of wharfage at present charged in Oakland.

SECTION EIGHT.—The said wharf, fit for use, shall be constructed within one year from the execution of the covenant aforesaid.

SECTION NINE.—H. P. Watkins, S. B. McKee, and William Hillegass are hereby appointed commissioners to locate said wharf and lands and to advertise and conduct the sale of the same, and to make a report thereof to the Council when such sale shall have been concluded.

SECTION TEN.—The grantee or grantees shall not hold the city responsible for any damages accruing to them from such grant as is made under this ordinance. But nothing herein contained shall be construed into any acknowledgment on the part of the city of the right of ownership of others to any part of the water front of the city except herein provided.

The ordinance was passed at the regular meeting of the Council held August 6, 1854, and on the 19th four separate petitions, signed in all by one hundred and seventy citizens, were received in favor of building the wharf on the southwestern corner of the Encinal. At the same session, August 19th, the ordinance above mentioned having previously been sent to Mayor Carpentier for his signature and approval,

was returned to the Council with the following message, which, being in a measure his views on his tenure of the city water front, we produce *in extenso*:—

“TO THE COMMON COUNCIL:—A bill for an ordinance entitled ‘An Ordinance to provide for the construction and maintenance of a wharf in the city of Oakland, has been presented to me and is herewith returned without my approval.

“My objections to the ordinance go both to its form and its substance: to its form because it is careless and illegal in its terms, and contains no provisions of safeguard to the city: to its substance, because, first, it is calculated to involve the city in long and costly litigation, and exposes her to ruinous losses by way of awarded damages, and, secondly, because it is in open violation of private rights and in contempt of that good faith which should mark the transactions of corporations as well as of individuals.

“In Section First of this ordinance the corporation, by an act of positive and arbitrary legislation, lays and *establishes* a wharf upon private property without the consent of the owner thereof, and, in Section Second, it sells the right and franchise of building the same and of collecting wharfage thereon. If this ordinance proposed merely to part with the right and interest of the city, unless that right and interest were clearly ascertained and definite, it would still be an act of sufficient gravity and importance. In this case, however, the city undertakes to grant and convey real property already granted and regranted to others, and to sell certain positive, specific and substantive rights and franchises not owned by the city, under the terms and obligations of a contract of bargain and sale, which she is bound by every rule of law to make good and defend.

“‘Right and Franchise’ is a term of definite legal signification, and the sale of a right and franchise is in contemplation of law a declaration of ownership on the part of the grantor, and is equivalent to a special warranty from the consequence of which nothing short of a release in clear and explicit language can relieve the grantor. In such covenants it is the rule of law to interpret them most strongly against the grantor. Nothing is taken in his favor by implication or intendment.

“Section Four provides for the formation of a private corporation. Corporations are the creatures of sovereign power, and a mere municipality cannot, as such, provide for their establishment. The charter of Oakland has not delegated to the City Council the exercise of any such extraordinary power, and nothing can legally be done under the charter but what is therein specially authorized, or is necessarily incident thereto. Besides, the Constitution has imposed certain restrictions and limitations to the power of the Legislature to create corporations and joint-stock companies which the City Council in this proposed creation have entirely neglected.

“Section Five provides for selling the right of franchise for the construction and maintenance of the wharf and the use of certain lands to the person who will offer the largest percentage on the business of the wharf, who is to be declared the ‘best bidder.’ This is an evasion of the section of the charter, which provides that sales or leases shall be to the the *highest bidder*. It authorizes the sale of lands and franchises with a limitation in effect that none shall bid beyond a certain price, whilst it leaves it entirely with the grantee to determine whether the city shall ever receive a farthing by giving him full power to fix the rates of wharfage and terms of landing.

Such a sale does not allow the competition which the Legislature intended, and is not the kind of sale to the highest bidder which is contemplated in the charter.

"Section Six provides that the Council shall enter into a covenant, etc., with the grantee. This the Council cannot properly do. The Mayor is the executive officer of the corporation, and the charter provides that *he* shall sign all contracts on behalf of the city. Experience has generally shown that the public interest is best subserved by leaving the responsibility of public acts where the law has placed it, and nothing has occurred to warrant the inference that the present executive will hesitate to perform any duty which may devolve upon him. The City Council are the mere creatures of the charter, and they cannot provide a new way of performing an act or discharging a duty when the charter has directed that it shall be done in a specified manner.

"Section Eight provides that the wharf 'fit for use' shall be constructed within one year. Here there is no guarantee that a suitable wharf will ever be constructed. It is not provided that it shall be of a certain length, width, or strength, that it shall be built after one or another plan, or that it shall be subject to the approval of the city, or equal to the demands of public convenience. 'A wharf fit for use' is the language of the ordinance. One ten feet wide and five yards in length answers this description. There are no provisions for keeping the wharf in repair, nor is even the building of it 'fit for use' made a condition precedent to the grant. There are no conditions precedent or of avoidance or forfeiture.

"The grant is in terms positive, final, and absolute, and a total and willful failure on the part of the grantee to carry out any of the objects or intentions of the ordinance so far from working a forfeiture of the lands and franchise conveyed would not even afford sufficient grounds for a suit to annul the grant.

"So bald is the whole thing of any guarantees of remuneration to the city, or of performance on the part of the grantee as to induce the belief that the ordinance was artfully drawn and imposed upon the City Council under specious pretexts by some designing person whose only object is to involve the city in an expensive litigation with some of her own citizens under the hope of gaining large advantage from the losses of others by speculating in a grant so promising in its pretensions and which imposes no real obligations.

"There are unfortunately persons in every community not particularly distinguished for enterprise or attention to their own business, who are always eager to agitate and embroil under the hope that out of confusion there will come spoils.

"The proviso in Section Ten is adroitly worded and amounts to nothing as a security to the city. It provides that the 'grantee or grantees shall not hold the city responsible for any damages accruing to them from such grant as is made under this ordinance.' This neither relieves the city from the legal consequences of a *failure* of the title and franchise which it undertakes to grant, nor does it save her from the payment of such damages and costs of litigation as she would certainly incur by thus arbitrarily disposing of the private property and vested rights of others.

"And in this connection I ask your candid consideration of the fact that the franchise of wharfage and the land proposed to be granted do not belong to the city to grant or control.

"The land mentioned is a part of the 'water front of Oakland,' which was ceded by the State to the town in the first Act of Incorporation passed May 4, 1852, for the purpose of enabling the town to construct 'wharves and other improvements,' for which purpose the Act authorized the Trustees of the town to dispose of the land so granted.

"At that time the town had no public improvements nor the means of constructing them. There were but few inhabitants and but little taxable property in the city. It became then a matter of the first importance and anxiety in the minds of those who wished to see the young town thrive and prosper that suitable wharves should be built as contemplated by the Legislature, and that common schools should be at once established. But how were these desirable and necessary objects to be accomplished?

"The town had received the water front from the State for the very purpose, and for that purpose was it disposed of by the Board of Trustees. They sold and conveyed the land, including that mentioned in the bill herewith returned to you to one of her citizens under ample guarantee for the faithful performance of the contract which he entered into to construct three wharves and a school house. And in consideration of a percentage upon the income of the wharves, and the care and repairs of the same, and in consideration of the premises, the exclusive right and franchise of wharfage was granted for a term of years to the contractor, and has passed from him into the hands of other citizens.

"This grant was made under an ordinance passed May 27, 1852, to which your attention is respectfully directed. The grantee at once constructed at a large expense the substantial wharf at the foot of Broadway, which was duly approved by ordinance passed December 30, 1852. He also built and delivered to the town the commodious school house now in use on the corner of Clay and Fourth Streets, and subsequently erected the wharf at the foot of Webster Street, both of which were approved and accepted, and the grant reaffirmed in all of its provisions by ordinance passed August 27, 1853, to which you are also referred. The third wharf has also recently been built at the foot of E, now Washington, Street, in final completion on the part of the grantee with the terms and conditions of the contract, and the percentages have been duly paid over from time to time and received by the city.

"These are public acts and matters of record in the office of the City Clerk and of the Recorder of Alameda County, and are existing legal facts not depending upon hearsay nor the treacherous memories of men.

"A report of a Select Committee of the late Board of Trustees on this subject was made in October, 1853, a copy of which is hereunto annexed as exhibiting some of the facts referred to more fully than I have deemed it necessary in this communication.

"To suppose that the grantee would volunteer these costly improvements with no object but to invest his private fortune for the common benefit of the public would be doing violence to common sense and common experience. And for the city to endeavor to retake, or by her consent to permit others to appropriate, the legitimate consideration for those public benefits would be equal violence to common justice and to vested legal rights. Corporations are as much bound to keep faith as individuals, and a disregard of this principle will prove disastrous to the credit and finances of any city.



L. J. Hardy

"I am enabled to state for the information of the City Council that the present owners and holders of the water front and of the franchise connected therewith have expended in this behalf a very large sum, say one hundred thousand dollars, and I am assured they will not submit to any interference with their rights, but will demand and recover from the city full compensation for any losses, costs, or expenses which they may sustain by reason of her illegal acts.

"The conveyance of the water front was a contract binding upon the town and its successor and successors in interest. The consideration in this contract was on one side the percentage payable to the city and the capital invested for her benefit; on the other side the use and enjoyment of the lands and franchise purchased and conveyed and of the advantages naturally flowing therefrom. On the faith of this contract large sums have been expended and much time and labor employed, and any acts on the part of the city, whether directly or constructively, in violation of this contract is in fraud of private rights and will meet with no favor from any Court of Justice.

"If the city has cause of complaint, or fancies that she has cause, she should resort to the Courts, which are open to all. But whilst her deeds of conveyance remain of record, and the contracts which bind her conscience are unimpeached, she cannot, with any regard to morality or law, make the grant contemplated by the proposed ordinance.

"The Legislature has wisely declared it to be a felony, punishable by heavy penalty, for a person who has once conveyed lands knowingly shall *ab initio* null and void (*sic*). If in this case the proposed regrant would not be a criminal offense it is simply because corporations are not in the same manner as individuals amenable to penitentiary punishments, but at least the moral force of such a statute should deter public officers from a willful infraction of the spirit of the law.

"The question of the diversion of travel and business from the neighborhood of the present landing, and the consequent injury to those who have made investments there, I do not propose now to discuss. The injustice and illegality of the measure and the amount of litigation and expense which would fall so heavily upon our young city if it were accomplished, and the injury which would result to her from the further discredit thrown upon her titles, is sufficient to point out the path of my duty, and I therefore withhold my approval of the bill and return it for your reconsideration.

"Mayor's Office, August 14, 1854.

H. W. CARPENTIER."

The Council, however, were not to be intimidated; they therefore referred the ordinance to a Special Committee, consisting of Messrs. Eames, Blake, and Kelsey, who were empowered to take the advice of counsel in San Francisco on the subject. Having consulted the law firm of Crittenden & Ingo, these gentlemen gave their opinion—this document is nowhere to be found—which it is presumable was favorable to the city, for, at the meeting of the Council, held September 13th, it was moved by Alderman Marier that the ordinance providing for the maintenance and construction of a wharf be taken up, and carried. This was done notwithstanding the veto of the Mayor, by the following vote: Ayes—Aldermen Eames, Gallagher, Marier, and Kelsey. Noes—Alderman Josselyn. On the 23d September the following com-

munication, with its inclosure (no trace of which is to be found in the records), was received and referred to the Committee on Public Buildings:—

“MAYOR’S OFFICE, September 14, 1854.

“TO THE COMMON COUNCIL:—Herewith is transmitted to you a copy of a communication from the owners of the water front concerning the wharf lately constructed at the foot of Washington Street, formerly E Street, in this city.

“I have carefully examined said wharf and I find it to have been well and substantially built from the shore to deep water, a distance of five hundred feet, according to the terms and within the time specified in the contracts providing for its construction, and I have accepted it on behalf of the city and in full and final satisfaction and discharge of the terms and conditions of the ordinances, grants, and contracts for the sale, disposal, and conveyance of the water front of the town of Oakland.

HORACE W. CARPENTIER, Mayor.”

It is curious to note the fact that Mr. Carpentier in this communication arrogated unto himself a prerogative that no single member of a corporation possesses, but which is usually delegated to a committee previous to final acceptance, namely, that of accepting on behalf of a city work in which the individual may be personally interested, as in this case, and which he had performed himself.

On October 7, 1854, we find that a communication from the Attorney-General, having reference to the water front, was presented by Alderman Josselyn, and ordered placed on file, but this important document has also vanished from the records, as has the resolution proposed by Mr. Marier, and passed on the 21st of the same month, whereby the Marshal was instructed to erase from the Assessment Books the impost on the water front. At this juncture the tables were completely turned, and the Carpentier faction were elated, but what suasion was brought to bear upon the Council so that they should pass the ordinance to repeal “An Ordinance to provide for the construction and maintenance of a wharf in the city of Oakland,” which had been passed finally on the previous 15th of September, may never transpire, suffice it to say that his Honor the Mayor won the day and gave his approval to it (it was passed December 9, 1854) on December 11, 1854.

As a proof of the navigability of the San Antonio Creek, and the consequent incalculable value of the water front to the city, it may be here mentioned that on January 10, 1855, a resolution to advertise for proposals to remove the bar at the mouth of that stream to admit of free passage was adopted; but let us not anticipate, this subject will be especially treated elsewhere.

At a special meeting of the City Council, held January 24, 1855, the President gave official information that an outrage had been perpetrated on the previous evening which took the shape of an attempt to destroy or abstract the whole or a portion of the records of the city. Mayhap it was in the confusion consequent upon this violent proceeding that the several important documents mentioned were lost, while it is a remarkable coincidence that nearly all of the missing papers refer to this question of the water front. A reward of a thousand dollars was offered for the apprehension and conviction of the perpetrators, but whether they were ever arrested is a matter clothed in the profoundest mystery.

At the election of March 5, 1855, Charles Campbell succeeded Mr. Carpentier as Mayor, and a new Council was chosen, all of whom held their offices intact until the 28th April, when Messrs. Gallagher and Williams resigning, on the 29th May Messrs. E. Gibbons and Robert Worthington were elected in their stead.

On May 16th, in accordance with the report of a committee appointed to acquaint the Council in regard to certain moneys paid in by Horace W. Carpentier, the following resolution was passed:—

Resolved, That the sum of twenty dollars and sixteen cents for wharf percentage, and fifty dollars for ferry money reported by the Treasurer (May 2d) as being received by him from H. W. Carpentier be rejected by the city and not received by them, as not being money belonging to the city.

Thus showing that in the opinion of the then Council the arrangement entered into with Carpentier was illegal.

There now entered into the breasts of the City Fathers an evident desire to "put their house in order," and at once strike at the root of the evil, for on June 6, 1855, Alderman Gibbons presented the ordinance entitled "An Ordinance repealing an ordinance entitled 'An Ordinance concerning Wharves,'" passed October 29, 1853, which abrogated all concessions made in regard to the water front. It was duly approved by Mayor Campbell, became law, and there is no record extant to show that it was ever cancelled by official decree. The next move of the Council, which seemed bent upon giving a death-blow to monopolies, was directed against an ordinance passed in April, 1853, granting to Edward R. Carpentier, the brother of the ex-Mayor, the exclusive right of ferry privileges between Oakland and San Francisco. The initial step in the matter was taken by Alderman Williams, who offered the following resolution:—

IN THE COUNCIL OF THE CITY OF OAKLAND, April 25, 1855.

TO THE HONORABLE, THE LEGISLATURE OF THE STATE OF CALIFORNIA: The Mayor and Council of the city of Oakland, in obedience to what they consider the popular wish in said city, respectfully but strongly and earnestly remonstrate against the passage of any law granting to any person or persons, or body, a monopoly of ferry privileges, between this city and the city of San Francisco.

The resolution was duly carried. On June 6th Alderman Gibbons introduced an ordinance in reference to ferry laws, which, having passed its second reading, was referred to the Committee on Ordinances, who, under date June 14, 1855, made the subjoined report:

The Committee to whom was referred the ordinance for the repeal of an ordinance entitled "An Ordinance to create a Public Ferry between the town of Oakland and the city of San Francisco, and to provide for the keeping up and running of the same," respectfully report: The ordinance which it is proposed to repeal was passed by the Board of Trustees of the town of Oakland, on March 5, 1855.* It authorizes and directs the conveyance to E. R. Carpentier, his heirs, agents, or assigns of exclusive ferry privileges "between Oakland and San Francisco, or between the said town or any other place," for the term of twenty years, together with all the ferry rights, privileges, and franchises which now are or may hereafter be held or owned by the town of Oakland.

The ordinance directing this conveyance to Mr. Carpentier is but one of similar ordinances by which the town of Oakland has been unlawfully despoiled of her property, divested of her rights, and retarded in her prosperity. Prior to the passage of this ordinance, the trustees of the town granted to the brother of said Carpentier all the water front of the town extending to ship channel in the bay of San Francisco, together with the exclusive right of constructing wharves and collecting wharfage (without limit or restriction), for thirty-seven years. A mere nominal percentage, without guarantee or security to the town, and amounting, in the course of two or three years to about one hundred dollars, is the only consideration (with the exception of a small frame school house for which no deed can be found) proffered to the town for the aforesaid grants. As trifling as this consideration is, the grantee in the latter case applied to the Board of Trustees, and obtained the passage of an ordinance by which

* This date should be 1853.

the town assumes all taxes which might be levied upon any wharf or wharves which he had constructed or might hereafter construct. This would render the city liable for the State and County taxes upon said wharves, which, at a moderate estimate, would amount in one year to more than the aforesaid has amounted to in two years; thus compelling the city to pay a premium to the grantees for taking all the property, ferry rights, privileges, and franchises which the town of Oakland had, present or prospective, to give away. Under this arrangement the people of the town are plundered of their property, and then taxed to pay the taxes of those who have plundered them, and to support a monopoly which adds its exactions to the measure of iniquity thus imposed upon the community.

As matters now stand, two individuals claim exclusive and entire control over the only outlet through which the farmer can gain access to the market, or the merchant transport his goods. If the grants to these two individuals be valid, they can charge whatever rates of freight and wharfage they may choose to exact, and if the article transported should be thus taxed to double its value, the owner thereof could have no redress. A monopoly which so completely subjects a whole community to the caprice of an individual, cannot stand the test of the law. In the case before us, your committee would suggest that the ordinance which it is proposed to repeal is of itself null and void. To suppose that the town of Oakland has any right to establish such a ferry across the bay of San Francisco, is about equivalent to supposing that she has a right to grant exclusive ferry privileges to the Sandwich Islands. But, however absurd the ordinance in question may be, the impression prevails to some extent that so long as said ordinance stands unrepealed, so long does the city of Oakland indorse the nefarious contract of a Board of Trustees who administered the town government for the especial benefit of two or three individuals, and to the detriment of the community at large. That this impression may be removed, and that any mere shadow of right on which the present ferry monopoly pretends to exist may be dissipated, and that the public may know that the door is open for unlimited competition, your committee report back the ordinance and recommend its passage, with an amendment declaring any contract made under or by virtue of said ordinance null and void.

Oakland, June 14, 1855.

E. GIBBONS, } Committee.
L. JOHNSON. }

No time was lost. At the same meeting the committee introduced an ordinance entitled "An Ordinance Repealing an Ordinance entitled 'An Ordinance to create a Public Ferry between the Town of Oakland and the City of San Francisco, and to provide for and the keeping up and running the same.'" This ordinance, which was passed on June 14, 1855, and approved by Mayor Campbell on the following day, reads:—

THE COUNCIL OF THE CITY OF OAKLAND DO ORDAIN AS FOLLOWS:

SECTION ONE.—The ordinance entitled "An Ordinance to create a Public Ferry between the town of Oakland and the City of San Francisco, and to provide for the keeping up and running the same," passed by the Board of Trustees of the town of Oakland, March 5, 1853, is hereby repealed.

SECTION TWO.—Any contract made, or purporting to have been made, under or by virtue of said ordinance, is hereby declared null and void.

Thus was war declared against monopolies and Carpentier's Water-front claim. To support their action in repealing the ordinance concerning wharves on August 8, 1855, the Committee on Streets and Buildings was authorized to advertise for proposals to build a wharf at the foot of Bay Street, opened August 1, 1855. The jetty to be not less than eight hundred and fifty yards long, with a T at the end one hundred feet in length and fifty feet broad. This wharf was never completed; its remains may be seen in a few piles at Oakland Point, on the north of the railroad mole.

The passage of the Ferry ordinance was the cause of the establishment of a ferry by the late Hon. James B. Larue, of Brooklyn, and which led to the famous suit of *Minturn versus Larue*, in which the following most interesting and valuable affidavits of Doctor Gibbons and A. Marier, which are here produced, were taken in evidence:

"EDWARD GIBBONS, being duly sworn, deposes and says that he is a resident of the city of Oakland, in the County of Alameda, State of California, and has resided in

Oakland since the year 1851; that he was residing in Oakland at the time of the passage of the Act to incorporate the town of Oakland, to wit: on the 4th day of May, 1852, and had been residing there for several months previous to that date; that so far as he knows or is informed, there was no petition or request of the people of that place (which was then, and had been previously, known by the name of Contra Costa, and never by the name of Oakland) to the Legislature for the incorporation of said town, nor was the subject of its incorporation previously discussed among the people, nor the intention to incorporate it known to them; that there has been no public meeting in regard to any intended incorporation of said town, and that the population of the place did not exceed seventy or eighty persons; that when the news reached the people of the incorporation of the town of Oakland by said Act of the Legislature, it was received by them with great surprise; that it was afterwards ascertained, as deponent was informed and believes, that the town had been so incorporated at the instigation and through the agency of Horace W. Carpentier.

“That a few days after the passage of said Act of Incorporation, to wit: on the 10th day of May, 1852, an election for Trustees and other Town officers was held, and the following persons were elected Trustees, viz.: Amédée Marier, A. W. Burrell, A. Moon, E. Adams, and the said Horace W. Carpentier; that a day or two before the said election, the said Carpentier showed to deponent a ticket containing the names of persons to be voted for at the election, on which were the names of the five Trustees above named and who were afterwards elected; that at the time the said Horace W. Carpentier, A. Moon, and E. Adams were partners, and as such dealing in town lots, and deponent advised the said Carpentier to strike off from the ticket the name of A. Moon or E. Adams, for the reason that it was not right that three partners should be on the Board of Trustees, but he refused to do so, and the three were elected; that the said Horace W. Carpentier never qualified or took his seat as a member of the Board of Trustees, and no election was ordered or held to fill the place to which he had been elected, but until the next annual election the four remaining Trustees composed the Board.

“And deponent says that afterwards, to wit: about the 18th day of May, 1852, he, deponent, heard of the passage, by said Board of Trustees, of an ordinance giving the water front of the town to the said Carpentier, and immediately went to said Carpentier and inquired of him the nature of it; that said Carpentier in reply said that it was to secure the water front to the town; that there was some talk of a called session of the Legislature, and if there should be a called session of the Legislature the Act incorporating the town of Oakland would be repealed, and he did not want to see the town deprived of so munificent an endowment; moreover, that it would enable settlers to make better terms with the Spanish claimants, in case the Spanish grant were confirmed; that he would rather deponent would take it, or any other responsible person, than hold it himself; that it was a mere conveyance in trust for the safe-keeping of the property, and that he would give bonds, if necessary, to restore it to the town; and added, that there was no necessity for the people knowing anything about the transaction; that the said Carpentier requested deponent to call upon the said Marier, who was President of the Board, and say to him that he (Carpentier) would give bonds to restore the property to the town, and to repeat to the said Marier

what he (Carpentier) had told this deponent, which request deponent complied with.

"Deponent further says that on the night of the same day, to wit, the 18th day of May, and after the conversation had as aforesaid, deponent was present at a meeting of the Board of Trustees, the said Carpentier was present, and stated publicly to the Board in the hearing of all present, that as some dissatisfaction had been expressed in relation to that ordinance, he would alter it to a term of years, or to a limited time, or words to that effect; that the words 'thirty-seven years,' or the words 'for the period of thirty-seven years' were then inserted by the said Carpentier (the ordinance having been reconsidered) as deponent supposed, and from the declarations of said Carpentier, so as to limit the estate or interest in the water front of the town to be vested in said Carpentier, to the period of thirty-seven years, or such shorter period as the authorities of the town might at any time thereafter determine, and it was not until after the lapse of six or eight months that deponent discovered that the said words had been so inserted as only to apply to the right to collect wharfage and dockage, and not to the grant of the water front; that the said ordinance appeared to be in the handwriting of said Carpentier, who, in the presence of the Board, himself inserted the said words. The amendment was adopted and the ordinance passed, and deponent says that the ordinance now on file amongst the papers in the office of the Clerk of the city is not the same paper which was then before the Board; that other amendments beside the one mentioned as aforesaid were made by the Board, as the journal of the Board will show; that any such amendments as the one suggested aforesaid by the said Carpentier, were either proposed to or adopted by the Board, nor does said journal contain any notice whatever of the same; that the ordinance now on file in the office of the Clerk of the city appears to be in the handwriting of the said Carpentier; that it contains no interlineations or erasures, and cannot therefore be the ordinance that was passed by the Board at the said meeting; that only three members of the Board were present at that meeting, viz.: A. Marier, A. Moon, and E. Adams; that the journal of the proceedings of that and other meetings of the Board appear to be in the handwriting of the said Horace W. Carpentier.

"And deponent says further that afterwards, to wit: in the summer and fall of the year 1852, that Carpentier stated to deponent in the course of conversation, that he, Carpentier, had promised to give to Gen. James M. Estill a portion of the water front, and that he had been obliged to do so in order to get the bill incorporating the town of Oakland through (the said Estill being at the time of the passage of said Act a member of the State Senate), and afterwards, in the winter of 1852 and 1853, the said Carpentier again stated to deponent that he, Carpentier, was under bonds to the said Estill to convey to him the one-fourth of said water front, and that in the spring of 1853 the said Estill told deponent that he held the said Carpentier so bound as aforesaid, adding that it was in consideration of using his (Estill's) influence with the Governor to induce him to approve the bill incorporating the town of Oakland; that at or about the same time some conversation occurred between the said Carpentier and Estill, in the presence of deponent, in relation to the value of said one-fourth of the water front; that this last statement of the said Carpentier, and the conversation between the latter and said Estill, occurred in consequence of an application made by deponent to said Carpentier, to purchase from him that part of the water front opposite deponent's premises.

"And deponent further says that the said Board of Trustees also passed an ordinance entitled 'An Ordinance to approve the Wharf at the foot of Main Street, and to extend the Time for constructing the other Wharves,' which ordinance appears to be in the handwriting of the said Carpentier, and that on the 5th day of March, 1853, according to the minutes of said Board, the said Adams introduced an ordinance entitled 'An Ordinance to create a Public Ferry between the Town of Oakland and the City of San Francisco, and to Provide for keeping up and running the same,' which ordinance according to said minutes was passed; and said minutes show, that the only members of the Board who were then present, were the said Adams, Burrell, and Moon; and no previous notice appears on the journal of said Board, of the introduction of said ordinance, nor does it appear that any petition was before the Board for the passage of the same, nor did the nature of said ordinance or its passage become generally known, as deponent believes, until several weeks thereafter.

"And deponent says further, that from the circumstances attending the passage of the Act incorporating the town of Oakland, the secrecy practiced, the agency through which it was effected, the manner in which the Board of Trustees was elected—two of its members being partners of said Carpentier—the failure of the said Carpentier to qualify or take his seat as a member, although elected by his own choice, the action of the Board in the passage of the ordinance giving to said Carpentier the exclusive privilege of erecting wharves and collecting wharfage, and granting him the water front of the town; the circumstances attending the amendment of that ordinance, and the other facts herein stated, he, deponent, became convinced and verily believes that the incorporation of said town and all that was done by the Board of Trustees in the premises was the contrivance of the said Carpentier, fraudulently to get into his hands a valuable property and valuable rights, and convert to his own use what had been intended and should have been used for the public benefit, and deponent says that such has been the general conviction and belief of the people of Oakland, and that all subsequent actings and doings of the said Carpentier and his confederates have tended to strengthen that conviction and belief.

"And deponent says further, that when the facts above stated became generally known, and it was ascertained that under the ordinance first above referred to, and a contract made in pursuance thereof, the said Carpentier claimed for his own use the exclusive privilege of constructing wharves and collecting wharfage, and to hold an absolute grant of the water front of the town, and that the said Board of Trustees, had conveyed to E. R. Carpentier (who was generally believed claimed a one-fourth undivided interest in said water front) exclusive ferry privileges under the ordinance passed as aforesaid on the 5th day of March, 1853, it excited great public indignation, and with a view to check the fraudulent practices of said Carpentier and his partners and creatures in said Board of Trustees, and to assert the rights of the town, the people attempted at the second municipal election which took place (to the best of deponent's recollection) on the 9th day of May, 1853, to elect a Board of Trustees composed of men in whom they had confidence, but the appointment of Judges and Inspector of the election being in the hands of the former Board, and the Board having the power to determine upon the election and qualifications of its own members,

it was declared by the Board that the following persons were elected, viz.: Alpheus Staples, A. W. Burrell, A. Moon, E. Adams, and A. Marier, the last four of whom were members of the former Board; that at said election, when the tickets were consulted, it appeared that only some forty odd votes had been cast for the candidates who were declared to have been defeated while about seventy or eighty had been cast for those declared elected, but in the course of thirty-six or forty-eight hours after the election, not less than seventy voters made their affidavits that they had voted for the former. And the deponent says that the returns of said election together with the tally-list are not on file in the office of the Clerk of the city, nor from the best information he can obtain, does not believe that the same were ever handed over to the authorities which succeeded to the town of Oakland.

"And deponent further says, that A. Marier, one of the Trustees declared elected, and whose name had been on both tickets, and who for some time had refused to attend the meetings of the Board, did not qualify or take his seat as one of the Trustees, and the four remaining members composed the Board during the year; that said Board so elected and so constituted, did, as appears by the minutes of the proceedings of said Board, on the 27th of August, 1853, pass an ordinance entitled 'An Ordinance concerning Wharves and the Water Front;' and that said Board also passed an ordinance on the 29th of October, 1853, entitled 'An Ordinance concerning Wharves'—That the passage of said ordinances as deponent believes, and has been informed, was not publicly known for several weeks or months thereafter.

"And deponent further says, that the journal of the said Board of Trustees shows that the said A. Marier did not attend any of the meetings of said Board held after the 3d of March, 1853, and that from that date to the 16th of May, 1853, the business of said Board was conducted by the said A. W. Burrell, A. Moon, and E. Adams, that the journal of the proceedings of the aforesaid second Board of Trustees shows that only four members qualified and took their seats, viz.: A. W. Burrell, A. Moon, E. Adams, and Alpheus Staples, and that nowhere does it appear that five members organized, constituted, or were present at any meeting or meetings of any Board of Trustees that ever existed in the town of Oakland.

"And deponent further says, that to the best of his knowledge and belief, the city of Oakland has never recognized the claims of the said Horace W. Carpentier and E. R. Carpentier under the grants aforesaid, as being valid, but on the contrary have passed sundry ordinances and resolutions asserting the rights of the city in the premises; certified copies of which ordinances and proceedings accompany this deposition, and the others being 'An Ordinance concerning Ferries' approved June 5, 1855; 'An Ordinance Repealing an Ordinance, entitled 'An Ordinance to create a Public Ferry between the Town of Oakland and the City of San Francisco, and to Provide for keeping up and running the same,' passed June 15, 1855; 'An Ordinance concerning Ferries,' approved May 19, 1855; an Ordinance passed on the 13th of September, 1855, under which a contract was made with Rodman Gibbons for the construction of a wharf; 'An Ordinance to extend the time for completing the wharf on Bay Street.'

"And deponent says that under authority of the Council of the city of Oakland an action was brought in the District Court of the Third Judicial District, for the



Wm. F. Jessup

county of Alameda, in the name of said city and against Horace W. Carpentier and Harriet N. Carpentier to set aside and have declared void the ordinances and deeds under which said Carpentier claimed the said water front and said exclusive privilege of erecting wharves and collecting wharfage, and for the delivery to the plaintiff of the wharf and property claimed under said ordinances and deeds, and that said action is now pending in the Supreme Court of this State.

"And deponent says, that he is the Treasurer of the city of Oakland and *ex officio* Clerk of the city, and has the custody of the journals of said Boards of Trustees of the town of Oakland and Council of the city of Oakland, and of the original ordinances and papers of said bodies.

"(Signed)

E. GIBBONS.

"Sworn to before me this 28th day of May, A. D. 1858.

"(Signed)

T. J. THIBAUT, *Notary Public.*"

"AMÉDÉE MARIER, being duly sworn, deposes and says, that he is a resident of the city of Oakland, in the county of Alameda, and has resided in said city, formerly town of Oakland, since April, 1851; that at the first election of Trustees for said town, held on the 10th day of May, 1852, he was elected a member of the Board of Trustees, and at the third meeting of said Trustees he was chosen President of the Board; that he was present at the meeting of the Board, at which was passed the 'Ordinance for the Disposal of the Water Front of the Town of Oakland, and to Provide for the construction of Wharves;' that said ordinance was introduced on the 17th of May, 1852, and was finally passed on the 18th of May; that the ordinance as presented was in the handwriting of Horace W. Carpentier; that on the 17th of May, 1852, before the meeting of the Board, said Carpentier exhibited the proposed ordinance to the deponent, and wished deponent to vote for it; that deponent refused to do so, whereupon said Carpentier stated to deponent that the object of having the ordinance passed was to secure the water front to the town of Oakland, and to enable the settlers to compromise with the claimants to the land on which the town of Oakland was situated; that there was some talk of a called session of the Legislature, and if there was a called session, the Act of Incorporation would be repealed; and upon this subject he made to deponent various representations to induce him to support said ordinance, all which tended to show that the ordinance would benefit and could not injure the people of the town; that deponent did not then read the ordinance, but said Carpentier stated its contents to be that it was a grant to himself of the water front, and the exclusive privilege of constructing wharves at Oakland; but he said that he did not care to have the grant to himself; that he would rather that some other person should take it than himself; that he would hold it in trust for the town, and reconvey it to the town whenever requested; that deponent, relying upon these representations and promises, consented to support the ordinance, and at the meeting of the Board did vote for it; that before its final passage there were some amendments made to it by striking out the word 'forever,' and inserting the words 'for the period of thirty-seven years,' which alterations, as deponent then supposed and still believes, applied to the grant of the water front as well as to the privilege of constructing wharves; that deponent afterwards signed the ordinance, now on file, under

the same impression, believing that it was a true copy of the ordinance and amendments as passed, and did not know until some time afterwards that it was incorrect in not limiting the grant of the water front to the period of thirty-seven years.

"And deponent says that some time afterwards, as President of the Board of Trustees, he signed the grant or contract, dated May 31, 1852, made in pursuance of said ordinance; that said contract had been previously drawn up by said Carpentier, and was laid with other papers on the table in the room where the Board met, where it remained for some days, but deponent was reluctant to sign it, and was determined not to do so until said Carpentier should give bonds according to his promise, to reconvey the property whenever requested; that at length the said contract was presented to deponent by said Carpentier in person, on board the ferry-steamer *Erastus Corning*, at the wharf in the city of San Francisco, and deponent was requested by said Carpentier then to sign it; that said Carpentier represented that he wanted it immediately for some important purposes, deponent thinks to submit it to the Land Commissioners, and that it was very important that it should be executed at once; that deponent asked said Carpentier where was the bond that he was to give to reconvey, to which said Carpentier replied that he had not time to give it then, but would give it as soon as he came over to Oakland, and thereupon, relying upon the representations and promises of said Carpentier, deponent signed said contract.

"And deponent says, that at that time he knew very little of the nature and effects of deeds and grants, or of the forms and modes of doing business in municipal bodies, and had unlimited confidence in said Carpentier, who used to act as Clerk and draw up papers for the Board of Trustees and its members, and advise and counsel them in all matters connected with municipal matters, no member of the Board being able, unassisted, to draw up an ordinance.

"And deponent says that prior to the passage of the Act of the Legislature incorporating the town of Oakland, the name of the place was Contra Costa, and it had never been called Oakland so far as deponent knew; that no proposition had ever been made amongst the residents of the place to change its name or to have it incorporated, nor had there ever been any discussion upon these matters, nor any wish expressed for the incorporation of the town; that at the time of the passage of the Act there were only about seventy-five persons residing at the place; that when it became known amongst them, through the newspapers, that a town called Oakland, in Contra Costa County, had been incorporated, the people did not know that it was the town where they lived, and it was a subject of discussion amongst them where the town of Oakland was.

"(Signed)

A. MARIER.

"Sworn and subscribed before me this 28th day of May, 1858.

"(Signed)

FRED'K A. SAWYER, *Notary Public.*"

It is unnecessary for us to dilate upon these two documents; they breathe the air of truth; better, therefore, is it to leave them in the hands of the contemplative reader, while we return to the official acts of the City Fathers.

At the meeting of August 8, 1855, Alderman Gibbons introduced an ordinance having reference to wharfage and dockage, prescribing and regulating the amount thereof; that, after passing its second reading, was referred to the Committee on

Streets and Wharves. The intention of this enactment was a material reduction of the rates then in force, and being favorably reported upon by the committee, was, on the 15th August, read a third time, and unanimously adopted on the motion of Alderman Worthington. At this same session a resolution was passed refusing to recognize E. R. Carpentier, who had been appointed counsel for the town during the *régime* of his brother, as attorney for the city in the suit of S. J. Clark against the city, and forbidding him to act as counsel in her behalf in any action, matter, or proceeding. On September 12th Aldermen Williams, Johnson, and Harwood were appointed a committee to draw up a contract with Rodman Gibbons for the building of the wharf at Bay Street, there being subsequently another ordinance passed confirming the contract to him, while on January 17, 1856, he was granted an extension of time to August, 1856, for its completion.

The election for the third Council of the city of Oakland resulted in the choice of S. H. Robinson as Mayor, and although his seat was contested by Mr. Campbell, his immediate predecessor, resulted in the confirmation of the former gentleman. It is thought by some that the reason of Mr. Campbell's defeat is to be found in the implacable detestation he had for the water-front scheme and all that belonged to it, while it is hinted that many illegal votes were cast for Mr. Robinson. However, in the ranks of the new Council, Carpentier had several opponents to his claim, and they soon opened fire upon the enemy. Their first move was a petition to the State Legislature, praying for a confirmation to Rodman Gibbons of the contract to build the Bay-street Wharf.

In obedience to the provisions of the charter, the newly elected Mayor now dispatched his first message to the City Council, in which he called their attention to the urgent necessity that existed for removing the bar at the mouth of the San Antonio Creek, and also to the manner in which the ferry between Oakland and San Francisco was being conducted. In regard to the latter, we quote his own words: "That the present ferry between this city and San Francisco is not what it ought to be, and is conducted in almost total disregard of the public wants and interests is a fact notorious to all. What steps, if any, ought to be taken by you with a view to an improvement, I am not at present prepared definitely to recommend; but I commend to you the whole subject-matter as one eminently worthy your careful consideration."

Water-front matters were comparatively tranquil during the tenure of the third Council, the only action worthy of notice being the granting of further time, to May, 1857, to Rodman Gibbons for the completion of the Bay street wharf, on which work had been commenced, however, without let or hindrance on the part of the water-front claimants. It is just possible that even at that early date they recognized the feebleness of the reed on which they leant.

On March 4, 1857, Andrew Williams was elected Mayor, and among the Councilmen we once more have the name of Mr. Marier. In his message we find Mayor Williams referring to the vexed ferry question, while he strenuously urged upon the minds of the Council the fact that there existed no ferry monopoly; that they had under their sole control the matter of wharfage and dockage privileges, and were free and independent from the water-front ownership. In regard to the water front he remarked: "The question of the city's title to its water front is of such paramount

interest that I propose to make it the subject of a special communication to your Honorable Body at an early day. The great extent of the water front, bounding the city on three sides and part of the fourth, for a distance of eight or ten miles, and its future incalculable value, entitled it to your special and prompt attention. There have been put forth some claims of individuals to this large patrimony which we believe to be without foundation, and there is also a question as to its ownership by the proprietors of the Mexican grant of the adjacent shore. To obviate any pretense of the individual claims against the city first above named acquiring any plausibility by five years' adverse possession, I recommend the immediate commencement of a suit at law to quiet the title to this large and valuable property. It is believed an amicable arrangement can be made with the proprietors of the Spanish grant to save the city harmless from expense in case of the eventual confirmation of their title to this immense domain. The great importance of this subject is my apology for reiterating my earnest recommendation of this subject to you for your immediate action."

Acting upon the advice of the Mayor, at the meeting held April 1, 1857, Alderman Davis offered the following resolution:—

Resolved, That the Judiciary Committee be, and they are hereby authorized and directed to confer with competent counsel upon the subject of the title to the water front of the city, and also to confer with the claimants thereto under the Spanish grant and ascertain and report to this Council what arrangements can be made, and what steps may be necessary and expedient to take for settling the claim of the city thereto,

Which, on motion of Alderman Marier, was adopted. On the 15th April they reported progress, and on May 13th the Judiciary Committee last mentioned in the matter (the water front) presented the following communication from Joseph Z. Baldwin and Henry P. Irving, attorneys:—

"Having been requested by Mr. Marier to state in writing the terms on which we would act as Counsel of the city of Oakland in a suit proposed to be instituted by the city for the purpose of setting aside a conveyance purporting to have been made by the town of Oakland to Horace W. Carpentier, we agree to render our professional services for that purpose on these terms: Two hundred dollars to be paid to each of us in cash, or as soon as convenient, and seven hundred and fifty to be paid to each in case of success in the judgment. The services to be rendered not only in the District Court, but, in case of an appeal, in the Supreme Court of California."

The committee also reported an agreement upon the part of certain claimants to the marsh-lands within the limits of the city, to bear their proportion of the expenses attending a suit for the recovery of the water front, which agreement they would present in writing at a subsequent meeting. This report was accepted in due form, and the annexed resolution adopted:—

Resolved, That the proposal of H. P. Irving and Joseph Baldwin be hereby accepted, and that they be instructed to commence suit immediately for the recovery of the water front.

Nothing more of interest in regard to water-front matters occurred during the year 1857, save that W. M. La Roche was granted until May, 1858, to complete the wharf at Bay Street.

In March, 1858, Mayor Williams was re-elected to the civic chair, and on May 19, 1858, an ordinance was passed granting permission to the San Antonio Steam

Navigation Company to run a ferry between the cities of Oakland and San Francisco, the passenger rates of which were not to exceed twenty-five cents for each passenger. The president of this company was the late James B. Larue, and he was licensed to run the ferry-boat *San Antonio* between the cities above named. The ordinance provided also that nothing in it should be so construed as to prohibit any other company or individual from running boats between Oakland and any other place.

During 1859 and until the election of the seventh Council in March 1860, no mention is made of water-front matters. In his message of March 28, 1860, however, Mayor J. P. M. Davis refers to the subject in these terms: "Prior to the organization of the city government, Oakland had fallen a prey to the passions of designing men, who, in an avaricious desire to accumulate wealth, regardless of the means by which it was to be obtained, seemed to set at defiance all rights of property, public and private. The results of this were oftentimes manifested in scenes of lawlessness and disorder on the one hand and a reckless regulation and control of municipal affairs on the other. The consequences were that when the city was organized under the charter of 1854 she was found despoiled of all the marsh-lands which had been donated to the town by the Legislature of the State, and burdened with an enormous debt, incurred by most reckless means. For the recovery of the land a suit has been instituted by the city which is now pending in the Supreme Court of the State."

On April 11, 1860, Alderman Cole offered the following resolution, which, on his motion, was read and adopted, as follows:—

"*Resolved*, That Messrs. Irving & Thompson, Attorneys for the city in the case of the City of Oakland *versus* H. W. Carpentier *et al.*, be and they are hereby requested to take such steps as they may deem necessary to obtain from the proper Court the appointment of a Receiver of the rents and revenues of the property involved in said suits."

In reply to which the Council received a communication from Irving & Thompson, informing them that the *remittitur* in the case of City of Oakland *versus* H. W. Carpentier *et al.* had been sent down and that the costs were due thereon. These were ordered paid on May 9th.

In the mean time Mr. Carpentier attempted to steal a march upon his antagonists in the hope that he might be enabled to keep the water-front property. To this end he obtained the passage of an Act through the Legislature, entitled "An Act to amend an Act entitled an Act to Incorporate the City of Oakland," confirming all the ordinances passed by the town of Oakland. Of this proceeding the Council and the citizens of Oakland were supremely ignorant. Suddenly the startling intelligence burst upon them as they read the twelfth section of the Act, which is as follows: "The Corporation created by this Act shall succeed to all the legal and equitable rights, clauses, and privileges, and be subject to all the legal or equitable liabilities and obligations of the town of Oakland; and the ordinances of the Board of Trustees of said town are hereby ratified and confirmed, and the Common Council shall have power to maintain suits in the proper Courts to recover any right or interest, or property which may have accrued to the town of Oakland." When the news reached the city officials of the passage of the Act it seemed as if a shell had burst in their ranks. A meeting was immediately convened, and on July 24, 1861, the following resolution was passed and ordered published three times in the *Alta California* and the *Alameda Gazette*:—

WHEREAS, At the late session of the Legislature of the State of California, a bill was introduced by F. F. Fargo, at the instigation, as we believe, of H. W. Carpentier, entitled "An Act to amend an Act entitled, 'An Act to Incorporate the City of Oakland,' passed March 25, 1854," and

WHEREAS, The said Act so passed, ratified and confirmed all the ordinances passed by the Board of Trustees of the town of Oakland, thereby designing to confirm to said Carpentier the entire water front of the city of Oakland, exclusive ferry privileges, and other grants and franchises unlawfully made by the Trustees of the said town, therefore

Resolved, That said Act of Confirmation was introduced and passed without the knowledge, consent, or approval, or application of the city of Oakland, or of any officer or agent of the same, and will be resisted by all legal means that the city can command.

These machinations of Carpentier, however, were soon to be thwarted. Recognizing the manifest impolicy of such a movement, the Legislature, at its next session, repealed the obnoxious Act, and there the subject rested for some time.

At the election held in March, 1863, William H. Bovee was elected Mayor, and in the Council were Messrs. O. L. Shafter, James de Fremery, and W. W. Crane, Jr. In their reign the water-front question assumed a new phase, as will be gathered from the following resolution, introduced by Alderman de Fremery and passed on motion of Alderman Woolsey:—

WHEREAS, The City Council of Oakland did, on the 14th day of January, A. D. 1861, pass an ordinance granting the right of way to the San Francisco and Oakland Railroad Company to construct their road through the city of Oakland, and, as a further inducement for the construction of their road, granted to said company the use of a portion of the overflowed lands situated at the western terminus of said road; and

WHEREAS, Said City Council did, on the 21st day of January, 1863, prepare a bill and forward the same to the Alameda delegation in the Legislature, ratifying and confirming said ordinance and the deed executed in pursuance thereof, which bill is now pending in the Senate; and

WHEREAS, Opposition to the passage of said bill has been made by parties claiming all the overflowed lands within the limits of the city, and whose aim is to defeat the construction of said road or of any other similar enterprise, and thereby securing a monopoly of the transportation of passengers and freight to and from the city, under an ordinance improperly obtained from, and, as we believe, illegally passed by, the Board of Trustees of the town of Oakland, in the year 1852; therefore, be it

Resolved, That the City Council of Oakland regard the construction of said road as of such vital importance to the interests of this community and of the people of Alameda County, that the city of Oakland can well afford to grant the use of said lands to said company as an inducement for its construction, and we respectfully represent to the Honorable Legislature that the passage of said bill will destroy rather than establish a monopoly and give almost universal satisfaction to the people of this city and county.

A copy of this resolution was sent to the Honorable A. M. Crane, Member for Alameda County. On April 21, 1863, Eugene Casserly was retained to represent the city of Oakland, and arrangements made with him to draw up a brief and conduct the case of the City *versus* Carpentier at the time pending, on appeal, in the Supreme Court. The city was ultimately defeated. Carpentier was defeated on all material points, but on legal technicalities he prevented any final judgment of ejection from being recorded against him. The case had been commenced in the Third District Court in Oakland, and, on application for a change of venue, was transferred to the Fourth District Court in San Francisco. A demurrer had been entered by Carpentier, and was tried before Judge Campbell. When the case was appealed, Judge Baldwin of the Supreme Court gave judgment against the city. The demurrer was on the question of the power of the town of Oakland to grant an exclusive right or franchise of the water front to any one person. The city failed to set up in its complaint the deed and the ordinance, as they should have been, therefore the demurrer

was not proceeded upon as to the power of the Trustees to convey in fee the water front.

The city set up an action for fraud when it was an equitable action, and on the first hearing of the demurrer, Judge Baldwin held that the grant of the exclusive right of the franchise by the Town Trustees was absolutely void. But he could not reach the power of the question of the water front, by reason of the defective pleadings. There was a rehearing granted in the Supreme Court, and the case was sent back to the Court below, with the suggestion that the complaint be amended on the part of the city. But the city refused to amend. The result was, although on trial in the District Court, a judgment was given for the city. When it went again to the Supreme Court the judgment was reversed in favor of Carpentier.

We now append the decisions of the Supreme Court:

"CITY OF OAKLAND
vs.
"CARPENTIER. } Appeal from Third District Court.

"Thompson, Irving & Pete, for appellant;

"Justice Baldwin delivered the opinion of the Court, Chief Justice Terry concurring.

"This is a bill in equity filed by a municipal corporation to set aside a contract or lease made of certain franchises and real estate. The bill charges that the city of Oakland is the legal successor of the town of Oakland by Act of the Legislature passed March 25, 1854; that the town of Oakland was incorporated by law on the 4th of May, 1852, and, by the same Act, was vested with a title to certain lands comprising the water front within the corporate limits; also, with certain privileges touching the erection of wharves, docks, etc.; that by the Act incorporating the town of Oakland, the corporate and municipal powers were lodged in a Board of Trustees to consist of five members, whose election was given to the qualified voters of the town, the election fixed on the second Monday in May in each year, and the term of office one year, and until their successors were qualified; that an election for Trustees occurred in pursuance of the Act, but only four of them qualified as Trustees; and, at a meeting of the four persons so elected and qualified, a resolution, purporting to be an ordinance, was passed, whereby the Trustees pretended to convey to one Horace W. Carpentier and his representatives the exclusive right and privilege of constructing wharves, piers, and docks at any point within the corporate limits of the town of Oakland, with the right of collecting wharfage and dockage as he might deem reasonable, upon certain conditions expressed in the ordinance; that by this pretended ordinance, and for the considerations therein set forth, a pretended grant was made to the said Carpentier and his assigns or legal representatives, with all the improvements, rights, and interests belonging to said town, in and to the lands lying within the limits of the town of Oakland; that Carpentier afterwards, by fraud, procured certain men to be elected again as the Board, who ratified this contract; that the first ordinance was fraudulent, Carpentier having procured himself to be elected Trustee for the purpose of getting it and having his agents on the Board of Trustees. Various other charges of fraud are made, some of which will be noticed in the course of the opinion.

"The defendants filed a demurrer to the bill. The ground is that it does not

state facts sufficient to show a cause of action, and that the claim of the plaintiff, as stated, is barred by the statute of limitations. Final judgment was rendered on the demurrer in favor of the defendants, the plaintiff declining to amend his bill.

"Several important questions are raised by the record.

"1. Had the Trustees of the town of Oakland power to grant to Carpentier the exclusive right and privilege of constructing wharves, piers, and docks at any point within the corporate limits of the town, with the right of collecting wharfage and dockage, at such rates as he might deem reasonable, for the period of thirty-seven years?

"The charter of the town of Oakland is to be found in the Acts of 1852, page 180. By section third of that Act it is provided: 'The Board of Trustees shall have power to make such by-laws and ordinances as they may deem proper and necessary: to regulate, improve, sell, or otherwise dispose of the common property; to prevent and extinguish fires; to lay out, make, open, widen, regulate, and keep in repair all streets, roads, bridges, ferries, public places and grounds, wharves, docks, piers, slips, sewers, wells, and alleys, and to authorize the construction of the same, and, with a view to facilitate the wharves and other improvements, the lands lying within the limits aforesaid, between high tide and ship channel, are hereby granted and released to said town; provided that said lands shall be retained by said town as common property, or disposed of for the purposes aforesaid; to regulate and collect wharfage and dockage; to secure the health, cleanliness, ornament, peace, and good order of said town; to organize and support common schools; to license and suppress dram-shops, horse-racing gambling-houses, and houses of ill-fame, and all indecent or immoral practices, shows and amusements; to regulate the location of slaughter-houses, stables, and places for the storage of gunpowder; and to pass such other laws and ordinances as, in their opinion, the order, good government, and general welfare of the town may require.'

"The rules in relation to the construction of charters of corporations are familiar. They are special grants of power, emanating from the paramount authority. The corporation owing its existence to the law, is precisely what the law makes it. It has no powers except those expressly given, or which are necessary to the exercise of those expressly given. The general legislative power residing in the State Government may delegate to a municipal government some portion of its own powers; but those grants are held in subordination to the general power, and are not construed as taking from that Government any other powers or rights than those clearly granted. These delegated powers, given for local objects, are regarded as trusts confided to the hands in which they are placed, and are not subject to be delegated by the repositories of them. To this Board of Trustees, as has been seen, was given power to 'lay out, make, open, widen, and regulate, and keep in repair all streets, roads, bridges, ferries, public places and grounds, wharves, docks, piers, slips, sewers, and alleys, and to authorize the construction of the same.' Under these general terms it is claimed that this Board had a right to authorize Carpentier to enjoy the exclusive privilege of laying out, establishing, and constructing wharves within the city at pleasure, and fix the charges, for a period of thirty-seven years. It is not difficult to see that such a construction is not warranted by the provisions of this Act. The charge in the bill is not that Carpentier



Calvin Valdez

agreed, or was allowed, to construct a wharf, or any number of wharves; that by contract he was authorized and bound himself, on certain terms and conditions, to do this; but that to him, in exclusion of the right of everybody else, and of the corporation itself, was imparted the sole privilege, not only of constructing all wharves, but of laying out, establishing, and regulating them too. This amounts, not to the grant of a license or privilege to erect a wharf, or all the wharves, laid out or ordered by the Council, but the grant of an exclusive right to lay out and construct them at his own convenience, in his own way, and to hold and use them on his own terms; and if he did not choose to exercise this privilege, the corporation is prevented from giving the privilege to any one else; and so of docks, piers, and the like. If, by a sweeping ordinance of this sort, an exclusive and comprehensive privilege like this could be given to Carpentier, it is hard to see why the opening, repairing, and regulating of streets and roads should not be given to him exclusively, as a privilege with the right to charge and collect what tolls or charges for using them he might please, since, as has been seen, the very same words apply to these 'public easements' as to docks, and piers, and wharves. We do not regard this ordinance as an exercise of a power under the charter, but as a transfer of the corporate powers intrusted to this Board, to this favored grantee. What power of regulation is left, after an unconditional grant of the exclusive privilege of all the wharves, and docks, and piers, and a lease for thirty-seven years of all the lands, and a right to fix such tolls as the grantees please, and this without any obligation to build or construct any, it is not easy to see. If the grant had been to the city of San Francisco, in the same words, and the city authorities had granted the exclusive privilege to one man to construct all the wharves along the line of the bay, and fix his own toll, we suppose no one would question that the grant exceeded the powers of the agents of the corporation.

"The general power over the wharves and docks is like the general power over the streets and highways. The corporation must exercise the general powers which the term 'regulate' implies. This general power involves the determination of the questions whether a wharf shall be constructed, when, how, in what places, on what terms, how kept, and what charges shall be exacted for their use. These police regulations are essential to the interest of the city, its commerce, its health possibly, certainly its convenience and general prosperity. It might, as we have intimated, just as well be said that the Board could by ordinance delegate to Carpentier the power of opening all streets and alleys anywhere in the town, where he chose, or widening them where he chose; to run an alley through any one's lot, or to make a sewer near any man's door, at his pleasure; but it would be rather a startling proposition to say that he would hold—through an ordinance—the exclusive privilege to do all these things, and charge for them what he chose, and that no one else—nor the town itself—had any right to do any of them. And the same reason precisely which denies the power to make this grant, applies to the grant of the exclusive privilege of constructing all the wharves he may choose, he determining, of course, where these wharves shall be, the number, the dimensions, the kind, the toll, and every matter concerning them—comprehended with the term 'regulation.' The reason is that this power of regulation is a political power, and therefore the transfer of it is the transfer of a power of municipal legislation; which authority is not, in its nature, alienable. It is

not the transfer of so much property; it is the transfer of a power to create, and control, and regulate, a certain species of franchise, the creation, control, and regulation of which are powers of the political department. It is no answer to say that after a wharf is constructed by the authority of the corporation, it might be sold as property: the reply to this is, that the establishment of it is of the promise of the corporation; and that it can no more give a general privilege to one man to establish wharves, when, where, and as he chose, within the limits of the city—the privilege being given for his own profit, use, and benefit.

“The principle upon which these general views rest, has been fully supported by the United States Circuit Court for the districts of California, in the case of *Minturn vs. Larue** (1 McAll. 370), involving the construction of this charter.

“The former is given the Board ‘to regulate and collect wharfage and dockage;’ but this power is not exercised, but ceded, by a grant allowing the grantee to regulate it as he pleases.

“It will not do to say that the lands lying between high tide and ship channel are ceded to the city; this does not deprive the argument of its force, that the establishment of wharves, docks, etc., is one of its corporate powers, and that no wharf can be so constructed, unless each wharf be so laid out by the order, or with the leave of the corporation—which cannot be by the general session of a privilege to another to establish, when, where, and how he pleases. We understand the Supreme Court of Massachusetts, in *Fay, Petitioner* (15 Pick. 256), to intimate this doctrine, when it is said—speaking of the right of the city of Boston to grant a ferry—‘Even if the city, by their authorized agents, had made a grant of a ferry or other franchise, claiming to be owners thereof, with express or implied covenants for an exclusive enjoyment of such franchise, this would not prohibit or restrain the Mayor or Aldermen from exercising the powers vested in them by statute, to license a ferry required by public convenience and necessity. Such authority is vested in them as Trustees for the public, to be exercised for the public good, and cannot be restrained by the covenant of the city, though such covenant happens to be executed by the same agents.’ But how much stronger would have been the statement of the venerable Judge C. J. Shaw, if in that case a general grant had been made of the exclusive privilege of establishing all the ferries on a river, or between the shores of Boston and Chelsea, with the right to select the places at which to exercise the privilege, or, if exercised, to charge what ferriage they chose. This would be, not to make the grantee a license of a ferry right, but the assignee of the privilege of making and unmaking ferry franchises at pleasure; indeed it would be transferring all the powers of government over the subject, to one individual.

“We see no distinction in this charter between a wharf or dock, in or upon a navigable stream, and a ferry right or bridge. They are all of the same class of interests, and the same powers over all of them are given in the same words.

“But if there was a difference, the charter giving the power of right and regulation to this corporation over the subject, it is held as a political power, and must be exercised by those to whom it is confided. The power to lay out and regulate wharves being given to the Council, cannot be exercised by Carpentier.

* This decision will be found in this chapter when treating the subject of ferries.

"We think, then, that this general grant of this exclusive privilege is wholly void, as exceeding the powers of the corporation; and that the plaintiff, the successor of the old town, has a right to come into equity to remove this impediment, constituted by these proceedings, from the free and beneficial exercise of its corporate functions and property. The plaintiff stands here as a Trustee, administering important trusts, and charged with responsible duties to the public, which cannot be safely discharged so long as doubts hang upon its title to property, and to the exercise of its control over its franchises; and, like any other Trustee, has the right to seek the aid of equity to remove obstructions to the performance of its duties. It is difficult to see how else the plaintiff could vindicate its right. The claim of the defendants is in this case incorporeal. They assert that certain franchises have been ceded to them, and that the plaintiff has parted with them; the plaintiff, claiming only to hold these franchises and the administration of them in trust for the public, would be without any relief, if equity could not aid in removing this difficulty; for it could neither build wharves nor authorize others to build them, as long as its powers and rights were denied. Nor do we perceive what form of legal action would give an adequate remedy.

"This view disposes of the demurrer, for it is general—going to the whole bill; and if the bill contains in any part, a complete cause of action the general objection to it for want of equity, fails.

"What effect the invalidity of this has upon the grant of the land, the bill does not enable us to determine. Neither the ordinance nor the deed is set out as they should have been in the bill. It is charged in the complaint, it is true, that the land between high tide and ship channel, and this exclusive privilege, were conveyed in the same instrument; but in what relation the land stood to this privilege, or what were the particular considerations or inducements to the grant of the land, we are not distinctly informed. If the land were conveyed merely or mainly to give effect to this illegal purpose, probably the incident would fall with its principal.

"The charter is, perhaps, the most defective upon the statute book, and this is saying a great deal. A perverse ingenuity seems to have been exercised to make it as lame and loose as possible. The joint labors of Malaprop and Partington could scarcely have made such a collocation or dislocation of words and sentences. Among other things, it gives the Board of Trustees power 'to license and suppress dram-shops, horse-racing, gambling-houses, and houses of ill-fame, and all indecent and immoral practices, shows, and amusements.' However general the words of this charter, the received rules of construction require us to construe them in reference to the substantive purposes expressed. The Act gives power 'to regulate, improve, sell, or otherwise dispose of the common property; to prevent and extinguish fires; to lay out, make, open, widen, regulate, and keep in repair all streets, roads, bridges, ferries, public places and grounds, wharves, docks, piers, slips, sewers, mills and alleys, and to authorize the construction of the same, and with a view to facilitate the construction of wharves and other improvements, the lands lying within the limits aforesaid, between high tide and ship channel, are hereby granted and released to said town, provided, the said lands shall be retained by said town as common property, or disposed of for the purposes aforesaid.' Now, looking into this jumble of incoherent and contradictory verbiage, the questions arise: To what 'other' improvements besides wharves, was it

designed that this water front should be applied? or, what are 'the purposes aforesaid' for which it might be disposed of, and how disposed of? It may well be doubted whether, under this charter, the Town Council, being bound to lay out and regulate these wharves, streets, and docks, an unconditional sale or lease of the land necessary to be retained, to accomplish and give effect to this power, could be made, especially if accompanied with this was a renunciation of all dominion or control over the land necessary for the site of these docks, streets, or wharves. But perhaps it is not necessary to decide these points now, as they can be presented more satisfactorily where the facts are better developed.

"2. It is contended by the appellant that this ordinance and deed are void, for the reason that the Board of Trustees were not legally organized; that though five were elected (Carpentier being one), all did not qualify; and that though a majority of the members of such a public body may act after the organization, it requires all the members to make the organization.

"Section second of the charter is in these words: 'The corporate powers and duties of said town shall be vested in a Board of Trustees, to consist of five members who shall be elected,' etc. Nothing is said in this Act further, as to the number required or mode of corporate action. In the first section, the town is declared to be incorporated under the provisions of the Act of 1850, to provide for the incorporation of towns. (C. L. 114.) The third section of this last Act provides that the Board of Trustees shall assemble within ten days after their election, etc., and, section fourth: 'At all meetings of the Board a majority of the Trustees shall constitute a quorum to do business.'

"We can see no reason for holding that a majority of the members elected to this Board should not as well be held empowered to act at the first as at any subsequent meeting of it.

"3. The next question is as to the alleged fraud in procuring this grant by Carpentier. Some astute and forcible criticism is employed by the counsel for the respondent upon the complaint. The facts are not as fully stated as is desirable in such cases. The complaint is defective in not averring fully the terms of the ordinance and the contract, and the particular injury resulting to the plaintiff from the alleged fraud; nor are the fraudulent practices of the defendant, Carpentier, in procuring the election of the first Board, or his procuring the election of the second, nor the circumstances attending the ratification of the first contract, nor the promises or agreements made by him on or inducing the execution and delivery of the deed fully set out. But as the bill may be amended, on the return of the cause, in these particulars, and as the general questions have been discussed, we proceed to consider them.

"It is alleged that Carpentier procured men, who were his agents or conspirators with him, to be elected to this Board, for the purpose of getting them to defraud the town, for his benefit, of all this property and these franchises; and if he got himself elected to this place, in order to help the contrivance through, whether by his influence, or by keeping out some one else who might have exposed the scheme, then this was sufficient to brand the whole transaction with illegality. Nay, more—if Carpentier put himself in the position of a member elect of this Board, neither resigning nor qualifying, and took advantage of this position to advance his personal interests, at

the expense of those of the corporation, this was a fraud for which a Court of Equity would hold him responsible. He would occupy the position, really, of a Trustee dealing for his own profit with the subject of the trust, and his conduct would be scrutinized with the jealousy with which equity regards the interested dealings of an agent with the principal, in respect to the subject of the trust. Nor would a ratification by a subsequent Board, if the members were fraudulently elected, or procured to be elected, by Carpentier, have any effect in validating the transaction. Carpentier could not protect this fraud by the sanction of his own associates united in effect, together, an illegal enterprise.

"If these facts be made to appear, the statute of limitation would not begin to run until after the corporation thus defrauded got out of the hands of the confederates, and an opportunity were afforded innocent agents, coming to the management of the affairs of the town, to look into and ascertain the true state of things. Knowledge on the part of the guilty agents of the corporation of the criminal fact is not notice to the corporation of such fraud, so as to give the advantage of this notice to the equally guilty associate of those agents. If this were the law, an agent could always protect himself by joining in a conspiracy to defraud his principal with a convenient friend, who received the principal's property, and who might claim against the principal that the agent had notice of the fraud.

"4. The next and last point is, the statute of limitations of three years applies and bars the claim of the plaintiff to set aside this deed. By article seventeenth, section seventeen (Wood's Digest, 47), is given the limitations of certain actions. The section is 'Actions other than those for the real property, can be commenced as follows: * * * within three years. An action for relief on the ground of fraud, the cause of action in such case not to be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud.'

"We think that this provision has no relation to an equitable proceeding to set aside a fraudulent deed or real estate when the effect of it is to restore the possession of the premises to the defrauded party. In such a case, the action is substantially an action for the recovery of the real estate; indeed, it is literally. Express fraud, generally, as well avoids a deed at law as in equity, and it would be strange if, after three years, a party could set up the fraud in avoidance of the deed at law, and a different rule prevail in equity. This is really an action for the recovery of real estate, and the plaintiff is no worse off because fraud has been committed upon him, nor the defendant in any better situation than if the latter had innocently bought and entered under an imperfect title.

"For the reasons assigned, the judgment below must be reversed and the cause remanded for further proceedings, in accordance with this opinion."

On petition for rehearing, Judge Baldwin delivered the following opinion—Chief Justice Field concurring:—

"Petition for rehearing denied. The opinion modified so as to leave open for future revision the question of the validity of the contract with Carpentier under the ordinance referred to in the opinion."

"CITY OF OAKLAND }
vs. } Appeal from Third Judicial District.
"CARPENTIER. }

"The facts are stated in the opinion. The case was before this Court at the April term, 1857, on appeal from an order sustaining a demurrer to the complaint, a report of which will be found in 13 Cal., 154. A trial was subsequently had in the lower Court, resulting in a judgment to the plaintiff, from which the present appeal is taken by defendants."

Chief Justice Field delivered the opinion of the Court, Justices Cope and Norton concurring.

"By an Act of the Legislature passed May 4, 1852, the town of Oakland was created a municipal corporation, the corporate powers being vested in a Board of Trustees, consisting of five members, to be elected on the second Monday of May of each year. By the third section of the Act, the Trustees were clothed with certain powers in relation to wharves, piers, and docks; and with a view to facilitate the construction of wharves and other improvements, the town was invested with the title to lands within the corporate limits lying between high tide and ship channel of the bay of San Francisco. On the second Monday of the same month, pursuant to the Act of Incorporation, an election was held, and five Trustees were chosen. Of these only four ever qualified; and at a meeting of the Trustees, consisting of this number, an ordinance was passed granting, in its first section, to the defendant, Horace W. Carpentier, and his legal representatives, for the period of thirty-seven years, the exclusive right and privilege of constructing wharves, piers, and docks at any point within the corporate limits of the town, with the right of collecting wharfage and dockage at such rates as he might deem reasonable, subject to certain provisions as to the erection of particular wharves, and the payment to the town of a certain percentage of the receipts of the wharfage; and granting to him in its second section, with a view, as expressed therein, the more speedily to carry out intentions and purposes of the Act of Incorporation, and in consideration of a contract on his part to build a public school house for the town, all the land lying within the corporate limits between high tide and the ship channel. The ordinance also charged the President of the Board of Trustees with the duty of executing, on behalf of the town, a grant or conveyance to Carpentier, in accordance with its provisions. Under this ordinance the President executed to Carpentier the grant or conveyance designated, reciting in the instrument the authority under which he acted.

"In May, 1853, at the second election under the Act of Incorporation, five Trustees were again elected, and of them also only four ever qualified. The Board, consisting of the four who qualified, by an ordinance, passed in August, 1853, ratified and confirmed the ordinance of the previous Board, reciting that the consideration upon which such previous ordinance had been passed had been 'in chief satisfactorily paid and performed,' and also regranted to Carpentier, and his legal representatives, the water front of the town, with the right to erect wharves, piers, docks, and buildings at any and all points thereon not obstructing navigation.

"By an Act of the Legislature, passed March 25, 1854, a municipal corporation by the name of the 'City of Oakland' was erected, and invested with all the rights,

claims, and privileges, and subjected to all the obligations and liabilities of the 'Town of Oakland.' The present suit is brought by the new corporation, and its object is to set aside and cancel the grant or conveyance to Carpentier, and enforce a surrender of the interests and property transferred, or claims to be transferred thereby.

"The suit is, of course, for equitable relief, and the grounds alleged for the interposition of equity are that the grant or conveyance was obtained by fraud on the part of Carpentier, and was made without authority on the part of the Trustees, and that it constitutes a cloud upon the title of the city, and embarrasses her in the exercise of her legitimate functions.

"The fraud alleged is that Carpentier obtained the Act of Incorporating the town of Oakland without the consent or knowledge of the people of the town, and for the purpose of acquiring the franchises and lands subsequently granted to him; that at the election held under the Act of Incorporation he procured the election of himself and 'partners in land speculations' as members of the Board of Trustees, and declined to qualify himself, in order to remove a legal obstacle to his obtaining the grant in question; and the conveyance to him by the President of the Board was according to an understanding with the Board, to be executed upon the delivery of a bond to reconvey the franchises and lands to the town when requested, but that it was obtained without such bond, upon representations that it was important to the interests of the town that it should be executed at once, in order to be filed before the Board of Land Commissioners, then in session, and that he would give the bond at some future period. No matters are stated in support of the allegation that he 'fraudulently procured the election of his tools and agents' in the year, 1853, when the confirmation of the ordinance was obtained. It is very evident that the matters thus alleged, in order to taint and vitiate the ordinance of the Board of Trustees and defeat the grant to Carpentier, are on their face too vague and general to merit serious consideration. It is of no consequence whether the Act of Incorporation was procured with or without the knowledge of the people of Oakland. The validity of the public acts of the Legislature is in no respect impaired by the knowledge or ignorance of the parties who may be affected by their operation. And the general charges referring to the election of members of the Board of 1852 and of 1853, so far as the complaint is concerned, rest in mere averment. And in relation to the bond for conveyance, which it is alleged Carpentier, by an understanding with the Board, was to execute, it is sufficient to observe that the ordinance itself, to which the complaint refers, negatives any understanding of the kind. The allegations of the complaint are, as a whole, of so vague and indefinite a character that no relief can be based thereon. When the case was here upon the demurrer to the complaint, the Court observed that the alleged fraudulent practices of Carpentier, in procuring the election of the first, or of the second Board, or the promises or agreements made to induce the execution and delivery of the conveyance from the President, were not fully set out; but as the complaint might be amended on the return of the cause in these particulars, it proceeded to consider the general questions discussed by the counsel. It is sufficient to say that the complaint was not amended; and aside from this consideration, the answer fully meets and denies the charges of fraud or fraudulent interest in the acts of Carpentier; and what is of more consequence, the charges are wholly unsustained by the proof.

"Stripped of the charges of fraud, the whole claim for equitable relief falls to the ground. The grant was either valid, or void, or voidable. If valid, as contended by the counsel of the Respondent, there can be no occasion for the interference of a Court of Equity. If void, the condition of things—of the rights, privileges, and estate of the city—remains as though no transfer had been attempted. No cloud is cast upon the title, and no embarrassment can attend the exercise of her legitimate functions. She has only to proceed and assert her privileges and claim her interests, and whoever interferes with them will be a trespasser. If, however, the grant is only voidable, and not void, the plaintiff seeking the aid of a Court of Equity by doing equity—that is, she can only obtain relief from the acts of agents of the town, by tendering compensation to the defendant, who has relied upon them, for his expenditures. One of the counsel of the plaintiff, in a brief exhibiting ability and learning, takes the same position in answer to the defendant, who urges his principle against the relief prayed. 'The principle invoked,' says the counsel, 'is not applicable to a case like the present. It is a rule only in cases where a plaintiff is in Court seeking to set aside some act or contract voidable, but not void, as for fraud, mistake, etc.; or to rid himself of a liability, otherwise valid, upon a ground which is against good conscience, and not favorably regarded in equity, as usury, gaming, etc. Here our case is that there never was a grant, contract, or act of any sort, on the part of the town, whatever might have been attempted by her unfaithful agents. As already remarked, she was an artificial being, endowed by the law of her creation and existence with certain limited functions, and utterly incapable of acting or even of being beyond or against these, to any intent or purpose whatever.'

"The conclusion which follows from the views we have expressed is evident. The charges of fraud, as a ground for the equitable interposition of the Court, are fully answered, and must be left out of the case. If the ordinances of the Board, granting the franchises and lands to Carpentier are void, there is no occasion for the interference of equity. If they are only voidable, that interference cannot be invoked until equity is done by the party claiming it—that is, by placing or offering to place the party relying upon the acts of the agents of the town in the same position which he would have occupied but for his reliance upon their validity. These views dispose of the case, and render it unnecessary to consider the other point made by the appellants.

"The Judgment of the Court below must therefore be reversed and that Court directed to dismiss the suit, and it is so ordered."

The Plaintiff filed a petition for a rehearing, upon which Justice Norton delivered the opinion of the Court—Chief Justice Cope concurring.

"The plaintiff asks a rehearing in this case, upon the ground that when the case was before this Court on a former occasion, it was decided: first, that the action could be sustained without an offer by the plaintiffs to do equity; and, second, that although the transfer to the defendant was void, it was a proper case to ask the transfer to be set aside by the equity powers of the Court, and that these decisions have become the law of the case and cannot now be reversed.

"In the former decision the complaint was held to be sufficient, upon the ground



Geor. S. Meyer

that the transfer was absolutely void. Nothing was said as to whether it would have been sufficient without an offer to do equity, if the court had considered the transfer not void, but only voidable. Afterwards the opinion was modified, by reserving for future revision the question of the validity of the contract with Carpentier. This was a reservation of the whole question as to its validity, as well whether it was voidable as whether it was void. The question whether or not the transfer was voidable being thus withdrawn, no decision can be inferred as to what would have been necessary to render the complaint sufficient, in case the Court should consider the transfer only voidable.

"It may be argued that when this question was withdrawn from the opinion, there was no ground specified in the opinion upon which the decision was made, but it may be so, it does not follow that the decision necessarily involves a determination of a question which was not only not mentioned, but the basis for which was withdrawn from the opinion; and so, although it was said in that opinion that it was a proper case for equitable relief, considering the transfer absolutely void, yet when the ruling that the transfer was void was withdrawn from the opinion, the remark that it was a proper case for equitable relief became merely 'obiter' and decided nothing. At most, it could be considered as only saying what would be the opinion of the Court in case, upon a revision of the question on some future occasion, the Court should hold the transfer void. Rehearing denied. Filed June 1864."

It remains a mystery why it was that the city, by her attorneys, never amended the complaint referred to above. It is evident that the Court was on the side of the city, for it held that so far as the right of the question was concerned, the city was correct in its reasonableness. Had their pleadings been perfected and their case been properly conducted, there is but little doubt that the finding of the lower Court would have been sustained; but as it was the water front was given to Carpentier and the *law* to the city of Oakland.

On August 25, 1863, we find it on record that D. P. & A. Barstow were paid fifteen hundred dollars for services as counsel in the case of *The City of Oakland versus H. W. Carpentier*, these rendered being: "Trying the cause in the District Court; settling statement for new trial and appeal; arguing cause in the Supreme Court and preparing and filing brief; the same extending over a period of two years."

During the expiring days of the month of August an ordinance was introduced for the purpose of taking immediate action in the Courts to regain, if possible, the water front. The Council made arrangements with the late Hon. John B. Feltón, then a lawyer of San Francisco, but the terms being illegal—that they should give and deed to him a certain portion of the public property—nothing was consummated, for such an act was especially forbidden by the charter.

On March 5, 1866, the thirteenth Council was elected, with the late J. W. Dwinelle in the civic chair, and on March 12th, Mr. Barstow introduced a bill granting to the San Francisco and Oakland Railroad Company the privilege of constructing and maintaining a wharf for the landing of ferry-boats, and a marine railway for the repair of the boats belonging to the company, the wharf and railway to be located on the San Antonio Creek, at the foot of Franklin Street, the franchise to continue for a term of fifty years; all of which was referred to a special committee consisting of

Aldermen Jayne and Wilcox, who, March 13th, reported: "That whereas, the property embraced in the bill was long since granted by the Legislature to the city of Oakland, thereby divesting the State of all its rights, title, and interest, the State has no interest to grant; therefore it would be asking the Legislature to commit a moral wrong—a breach of faith—besides interfering with vested rights, in recommending it to grant again to other parties that which it has once already granted. Believing such to be the fact, we report against the recommendation asked for;" thereupon Alderman Barstow introduced the following resolution:—

Resolved, That the Alameda delegation in the Legislature be requested to use their endeavors to procure the passage by the Legislature of the bill as amended by the Council authorizing the city of Oakland to grant to the San Francisco and Oakland Railroad Company the right to build a wharf and marine railway on the water front in the city of Oakland, and that a copy of this resolution, together with an engrossed copy of the bill, be forwarded by the Clerk to the delegation,

Which was adopted.

After the decision of the Supreme Court, water-front matters remained quiescent until November 21, 1866, on which date the Council, at a general meeting, passed the accompanying resolution:—

Resolved, That the Judiciary Committee, in conjunction with the Mayor and the President of the Council, be authorized to take the opinion of counsel on behalf of the city, at an expense not exceeding two hundred and fifty dollars in gold coin, as to the rights of the city to the water front heretofore granted to the town of Oakland, and as to the proper mode of enforcing the same, and that they report thereon to this Board.

And on January 23, 1867, the same Council received a communication from the Mayor, advising the employment of Messrs. Wilson & Crittenden, Counselors-at-Law, to give their written opinion as to the right of the city to her water front, which was placed on file.

On March 4, 1867, a new (the fourteenth) Council was elected, with W. W. Crane, Jr., as Mayor. On July 30th, Aldermen Moody, Barstow, and Wilcox were appointed a Committee to investigate and report to the Council as to the interest of the city in the water-front property, who, August 24th, represented by Mr. Moody, moved that the Council adjourn and resolve itself into a Committee of the Whole, for hearing the report of the Committee and for discussion. For this purpose a special meeting was convened on August 31st, when Alderman Moody made a verbal report and subsequently introduced "An Ordinance Providing for a Suit to Settle the Title of the City to the Water Front and for the employment of Counsel therein." The ordinance, which was passed, reads:—

SECTION ONE.—A suit shall be prosecuted in the proper Court to determine the rights of the city to the water front, against the persons claiming the same adversely, and John B. Felton is hereby retained to act for the city in said suit, to be paid for his services by a conveyance of an interest equal to fifteen per cent. of the property and franchises recovered by the city; but to receive no compensation for his services in case nothing shall be recovered.

SECTION TWO.—The Mayor of the city is hereby requested to execute the contract hereto annexed on behalf of the city, which is in the following words, viz.:

WHEREAS, The city of Oakland claims title to that portion of the tide lands situated within the limits of said city, and lying between high tide and ship channel, and also certain franchises connected therewith, by virtue of a grant to the town of Oakland made by the State of California, by an Act of the Legislature of said State, approved on the 4th day of March, 1852, and

WHEREAS, Certain persons claim said lands and franchises by virtue of pretended grants made by the pretended Board of Trustees of the town of Oakland, to Horace W. Carpentier, in the years 1852 and 1853. Now,

therefore, this agreement made the — day of —, 1867, between John B. Felton of the city and county of San Francisco, party of the first part, and the city of Oakland, party of the second part,

Witnesseth, That for the consideration hereinafter mentioned, the party of the first part undertakes and agrees, as the Attorney-at-Law of said city, to institute and prosecute to final judgment, a suit or suits in the proper Courts against the person or persons so claiming said lands and franchises, adversely to said city; to render his personal services therein until the title and right to the cause shall be finally settled and determined by the Supreme Court; and the city of Oakland promises and agrees to pay said Felton for such services by conveying to him an interest equal to fifteen per cent. of all the property recovered by the city in said litigation, after the same shall have been finally terminated, and a like interest in the franchises, which shall be adjudged, as against the persons so claiming them, to belong to the city; it being understood that, in case nothing is recovered, the city is to pay the necessary court costs and disbursements incurred in said litigation.

In his message, dated September 28, 1867, Mayor Crane observes on the water-front question: "The right of the city to its water front will very soon be tested, and I hope finally settled. It may be that the fraud which deprived the city of this valuable property has been so carefully covered as to now be effectual in preventing a recovery, but it will at least be satisfactory to our citizens to have such a conclusion judicially reached."

Save two petitions for certain portions of the water front from William Surrhyne and A. A. Cohen, made in the month of September, we cannot find that any action was taken by the City Council until the 19th October, 1867, on which date the Committee, to whom Cohen's application was referred, reported favorably on the granting of that portion of the water front lying between Webster and Franklin Streets, subject to certain conditions; while, on the 26th of the same month, the report on Surrhyne's application was made; but owing to the absence of the documents for that year, it is impossible to state whether it was favorable or otherwise. There was passed November 1st, "An Ordinance granting to the San Francisco and Oakland Railroad Company the use of a Portion of the Water Front for the erection of a Marine Railroad," which we quote:—

SECTION ONE.—That portion of the water front lying below high-water mark, between the easterly line of Franklin Street and the westerly line of Webster Street extended, being three hundred feet in width, and running into San Antonio Creek for a distance of three hundred and fifty feet, is hereby granted to the San Francisco and Oakland Railroad Company, during the corporate existence of said Company, for the purpose of erecting and maintaining a marine railway and wharf, at the annual rent of one hundred dollars, in gold coin, for the first five years, and, at the expiration thereof, and every ten years thereafter, the rent shall be fixed by three Commissioners, one to be chosen by the Council, one by said Company, and the third shall be appointed by the County Judge of Alameda County, *provided*, that said Company shall not collect tolls, or wharfage, or dockage, for the use of said wharf, without the consent of the Council of the city of Oakland; and *provided, further*, that said marine railway and wharf shall be so constructed as not to interfere with the free navigation, nor obstruct the channel of said creek.

SECTION TWO.—Said Company shall commence the construction of said improvements within three months from the date of the passage of this ordinance, and complete the same within six months thereafter; and it is made a condition of this grant that said company shall, in good faith, contest any claim made to said premises by any person, under a pretended grant of the water front, made by the Board of Trustees of the late town of Oakland, to Horace W. Carpenter; and shall not, upon any terms, compromise such claim, *provided*, that the time herein provided for commencing and completing said improvements shall be extended to a period equal to the time said work shall be delayed by legal proceedings; and *provided, further*, that said improvements shall be subject to the payment of city taxes as personal property of said company.

And now that well-known resident of Oakland, Doctor Samuel Merritt, appears on the scene. On November 2, 1867, he succeeded to the mayoralty on the resig-

nation of W. W. Crane, Jr., while, on the same date, F. M. Campbell took the seat in the Council vacant by the death of Alderman Anderson.

At this period the advisability of making a change in the charter commenced to engross the attention of the City Council. Several special meetings were had for the purpose of discussing the subject, and citizens were invited to suggest amendments thereto, and it was then that the section giving the city the power to compromise and settle all causes of action and legal proceedings then pending was embraced into it. On the 9th Alderman Miller offered a resolution to the effect that the city charter be referred to the proper committee for revision, with the intent of applying to the Legislature for the necessary amendments, and that the committee be instructed to report at the earliest possible moment. On December 16th they were granted further time, and on the following day, the 17th, on motion of Alderman Pendleton, the Council resolved to go into a Committee of the Whole, for the purpose of taking into consideration the proposed amendments to the charter; but the original committee was not yet ready to report, and further time had to be given them. On the 18th and 19th special meetings were held, but no report came from the committee. The 26th December was settled as the day on which they should make their report, but still none came, therefore, a motion was subsequently made by Alderman Moody, that the charter, with amendments, when ready, should be referred to a committee, which was instructed to put them into shape, and have two hundred copies of them printed. But the Committee on Amendments had made no progress towards a report on the 30th December, and although special meetings were called on January 2, 4, 6, and 8, 1868, it was not until the 13th of that month that their report was made. On January 22d, at a special meeting, the Council proceeded to take final action with regard to the amended charter. The first seven sections of it, with certain emendations, were adopted, while citizens were invited to note amendments which they wished to submit to the Council, on the margin of the pamphlet, and to present them at the next meeting; at which, all the sections having been passed upon, the charter, as amended, was, on motion of Alderman Moody, given into the hands of a committee, with instructions to engross the same.

The amended charter having been accepted by the people it was forwarded to the Legislature, where it was so roughly handled that its original drafters would have failed to recognize their handiwork. The most earnest protests were entered against this action of the legislative body, and the Alameda representative was urged to strenuously oppose its passage. On March 9, 1868, the Council received a communication from Hon. J. W. Dwinelle, the Alameda Delegate, in relation to the city charter and proposed amendments, which resulted in the action mentioned above and embodied in the following resolution: "That it is the unanimous desire of the city of Oakland, that the Oakland Charter Bill, now before the Legislature, should not pass that body, the charter having been so altered and amended since it left our hands, as no longer to be desirable," while at the same meeting it was, on motion of Alderman Hobart, resolved: "That the Senator and Assemblymen for Alameda County be requested to urge the passage of the bill left with Senator Robinson, entitled 'An Act Supplemental to an Act, etc., incorporating the City of Oakland,' passed in the year 1862." A resolution was also offered by Alderman Hobart, requesting the Mayor to

inform the Council in regard to the present state of the suit for the recovery of the water front and of the contemplated compromise, which was laid upon the table; while, on the same date, Alderman Campbell offered a resolution, requesting John B. Felton to inform the Council as to his powers in the compromise matter, which, too, was laid over.

We have seen how the charter was sent to the Legislature, and how it was treated there. It should be mentioned that tacked on to the end of the instrument was the Act, authorizing the city to settle all causes of action and dispute, which was subsequently segregated, duly approved March 21, 1868, and became known in history as "The Compromise Act." It is entitled "An Act to enable the City of Oakland to settle its Controversies," and is as follows:—

SECTION ONE.—The Council of the city of Oakland, with the concurrence of the Mayor of said city, is hereby authorized and empowered to compromise, settle, and adjust any and all claims, demands, controversies, and causes of action in which the said city is interested.

SECTION TWO.—This Act shall take effect immediately.

On March 27, 1868, there sprung into existence an incorporation called the "Water Front Company," whose first Board of Trustees consisted of E. R. Carpentier, Horace W. Carpentier, Leland Stanford, John B. Felton, Samuel Merritt, and Lloyd Tevis. The articles of incorporation of this company we now append:—

This certifies that we, whose names are hereunto subscribed, do hereby associate ourselves together, and form a company, under the provisions of the Act of the Legislature of the State of California, passed April 14, 1853, entitled "An Act to Provide for the Formation of Corporations for certain Purposes," and the Acts amendatory thereto and supplemental thereto.

The objects for which the said company is formed are, to acquire, build, construct, own, hold, manage, use, and control wharves, docks, basins, dry-docks, piers, and warehouses in the city of Oakland, and in the vicinity thereof, in the State of California, and to lease, sell, convey, grant, mortgage, hypothecate, alienate, or otherwise dispose of the same; to borrow and loan money; to engage in and carry on the business of commerce, foreign and domestic; to purchase, acquire, manage, hold, and control, or to lease, sell, convey, grant, mortgage, hypothecate, alienate, or otherwise dispose of the water front of said city, or any part thereof, and any submerged tide and other lands in and about the bay of San Francisco, or elsewhere, together with the rights and franchises connected therewith or appurtenant thereto; and also all other property, real, personal, or mixed, choses in action, rights, privileges, or franchises.

The corporate name of the said company shall be "The Oakland Water Front Company;" the time of its existence fifty years, and its principal place of business shall be located in the city of Oakland, in the county of Alameda, and State of California.

The amount of the capital stock of said company shall be five million dollars, and shall consist of fifty thousand shares, of one hundred dollars.

The number of the Trustees of said company shall be six, and the names of those who shall manage the concerns of the company for the first three months are Edward R. Carpentier, Lloyd Tevis, Horace W. Carpentier, Samuel Merritt, John B. Felton, and Leland Stanford.

In witness whereof we have herewith signed our names, this 27th day of March, A. D. 1868.

[Signed]

E. R. CARPENTIER,

[Signed]

H. W. CARPENTIER,

[Signed]

LELAND STANFORD,

[Signed]

JOHN B. FELTON,

[Signed]

SAMUEL MERRITT,

[Signed]

LLOYD TEVIS.

On behalf of the Committee on Water Front, April 1, 1868, Alderman Moody introduced "An Ordinance for the Settlement of Controversies and Disputes concerning the Water Front of the City of Oakland, the Franchise thereof and other

Matters relating thereto," which was passed to its third reading and unanimously carried. The ordinance is as follows:—

SECTION ONE.—The claims, demands, controversies, disputes, litigations, and causes of action heretofore existing between the city of Oakland, on the one part, and Horace W. Carpentier, and his assigns, on the other part, relating to the force, validity, and effect of a certain ordinance passed by the Board of Trustees of the town of Oakland, on the 18th day of May, A. D. 1852, and enrolled May 27, 1852, signed by A. Marier, President of the said Board of Trustees, and F. K. Shattuck, Clerk of said Board, entitled "An Ordinance for the Disposal of the Water Front belonging to the Town of Oakland, and to Provide for the construction of Wharves," wherein and whereby, for the consideration therein named, "the water front of said town, that is to say, all the lands lying within the limits of the town of Oakland, between high tide and ship channel," as described in the Act of the Legislature for the incorporation of said town, passed May 4, 1852, together with all the right, title, and interest of said town therein, together with all the privileges, rights, and franchises therein mentioned, were sold, granted, and released to Horace W. Carpentier and his assigns.

And also in relation to the validity, force, and effect of a certain conveyance, executed and delivered to the said Carpentier, of the said water front, dated May 31, 1852, by the said Amédée Marier, President of said Board of Trustees, under and in pursuance of said ordinance.

And also in relation to the force, validity, and effect of a certain other ordinance, passed by the Board of Trustees on the 30th day of December, A. D. 1852, entitled "An ordinance to approve the wharf at the foot of Main Street, and to extend the time for constructing the other wharves," which said ordinance was enrolled January 1, A. D. 1853, and signed by the said President and Clerk of the said Board of Trustees, wherein and whereby the said first-mentioned ordinance and the said deed of conveyance was recognized and approved.

And also in relation to the force, validity, and effect of a certain other ordinance entitled "An Ordinance concerning Wharves and the Water Front," passed on the 27th day of August, A. D. 1853, by the said Board of Trustees, which said ordinance was enrolled, dated August 27, 1853, and was signed by A. W. Burrell, President, and A. S. Hurlburt, Clerk of the said Board of Trustees, wherein and whereby the said first-mentioned ordinance was in all things satisfied and confirmed, and the said water front again granted, sold, and conveyed to the said Carpentier in fee simple forever:—are hereby compromised, settled, and adjusted, and the said above-mentioned ordinance and conveyance are made valid, binding, and ratified and confirmed, and all disputes, litigations, controversies, and claims in and to the franchises and property described in said ordinances and deed of conveyance, and every part thereof, are abandoned and released to the said city of Oakland, to the said Carpentier and his assigns, upon the following conditions, to wit:—

That the said Carpentier and his assigns shall convey, by proper and sufficient deeds of conveyance, all the property and franchises mentioned and described in said ordinances and deed of conveyance herein before referred to, to the Oakland Water Front Company, to be used and applied in accordance with the terms, conditions, stipulations, and agreement contained in certain contracts between the said Oakland Water Front Company and the Western Pacific Railroad Company, and other parties, bearing even date herewith, with the exceptions in the said agreement specified.

But nothing herein contained shall be deemed to affect any rights of the San Francisco and Oakland Railroad Company, derived under an ordinance of the city of Oakland, passed the 20th day of November, 1861.

Let us in this place produce the deed of Mr. Carpentier.

In pursuance of the foregoing ordinance the said Horace W. Carpentier executed and delivered to the said Water Front Company a deed of which the following is a copy:—

This Indenture, made the 31st day of March, 1868, between Horace W. Carpentier, party of the first part, and the Oakland Water Front Company, party of the second part, witnesseth: That the said party of the first part, in consideration of the sum of five hundred dollars to him paid by the said party of the second part, the receipt whereof is hereby acknowledged, hereby gives, grants, sells, and conveys to the said party of the second part, its successors and assigns, the following described premises, to wit: All of the water front of the city of Oakland—that is to say, all the lands, and the lands covered with water, lying within the limits of the said city between high tide and ship channel, being the water-front lands within the boundaries described and granted in and defined by the Act entitled "An Act to Incorporate the Town of Oakland and to Provide for the Construction of Wharves thereat," approved May 4, 1852, and the Act entitled "An Act to Incorporate the City of Oakland," passed March 25, 1854, and repealing certain other Acts in relation to said city, approved April 24, 1862, together

with all the privileges and appurtenances, rights, and franchises thereunto appertaining and belonging, together with all rights to collect tolls, wharfage, and dockage thereon and therefrom, and all lands, rights, privileges, and franchises of every kind and nature which have been heretofore acquired by the party of the first part, from the town of Oakland and the city of Oakland or either of them, and all the rights to the above-mentioned lands, franchises, and privileges which he may hereafter acquire from the said city of Oakland, excepting therefrom, however, so much of the said water front as lies between the middle of Washington Street and the middle of Franklin Street, and extending southerly to a line parallel to Front Street and two hundred feet southerly from the present wharf, according to the map of the city of Oakland, with the rights of wharfage, dockage, and tolls thereon, to have and to hold the aforesaid and aforegranted premises to the said party of the second part, its successors and assigns, to their use and behoof forever, in witness whereof the said party of the first part has hereunto set his hand and seal the day and year aforesaid.

[Signed]

H. W. CARPENTIER.

On the 1st day of April, 1868, the agreement and indentures, of which the following are copies, were made, executed, and delivered by and between the parties therein named, to wit:—

This indenture made the 1st day of April, 1868, between the Oakland Water Front Company, party of the first part; the Western Pacific Railroad Company party of the second part; the city of Oakland, party of the third part; Horace W. Carpentier, party of the fourth part; John B. Felton, party of the fifth part; and Leland Stanford, party of the sixth part. Whereas the said Horace W. Carpentier by deed bearing date March 31, 1868, conveyed to the said Oakland Water Front Company the water front of the city of Oakland, and certain rights, privileges, and franchises, as by reference to said deed will more fully appear; and whereas the said deed was executed and delivered to the said Oakland Water Front Company, upon the express trusts and subject to the covenants therein set forth. Now, know all men by these presents that the said Oakland Water Front Company, in consideration of the said conveyance, and the said premises, and in further consideration of the sum of one dollar to be paid by the other parties herein named, the receipt whereof is hereby acknowledged, doth hereby declare and make known that it holds the said premises conveyed by the said deed upon the following express trusts, and subject to the following covenants and agreements, to wit: First: The said Western Pacific Railroad shall, with reasonable diligence, and within three months from this date, select from and locate on the premises described in said five hundred acres thereof, in one or two parcels in the form of squares or parallelograms with right, acute, or obtuse angles, but not so as to include an aggregate frontage on ship channel exceeding one-half mile in length; also to select and locate within said time, over the remainder of said premises, not exceeding two strips of land, each strip not to be more than one hundred feet wide, as grade for the track or tracks of its railroad from high-water mark to such parcel or parcels, and between the same; and the said Oakland Water Front Company hereby covenants and agrees with the said party of the second part that it will at any time after such selection and location, upon demand, convey by proper conveyance or conveyances the said five hundred acres and the exclusive right of way over the said strips of land thus selected and located, to the said party of the second part, which said conveyance or conveyances shall contain a covenant or agreement that if the said parcels or either of them shall be located out to a westerly water front of twenty-four feet depth of water at low tide, no land shall be sold westerly therefrom, and no obstruction or impediment shall ever be placed or put in front or westerly of the same, or anything done to prevent the free and unobstructed approach and access of vessels to said parcels.

SECOND.—And the said party of the first part hereby further covenants and agrees that it shall and will, upon demand, convey to the city of Oakland so much of the said premises as lies between the middle of Franklin Street and the easterly line of Webster Street, and extending out to a line parallel with First Street, and two hundred feet southerly of the present wharf at the foot of Broadway in the city of Oakland, according to the map of said city, with the right of dockage and wharfage and tolls thereon. And said party of the first part further covenants and agrees that it will, within a reasonable time, designate and dedicate, as a navigable water-course for public use, the channel of San Antonio Creek, from ship channel to the town of San Antonio, to a width of not less than two hundred feet, over the shallow water at the bar, and three hundred feet wide above that place, subject to, and reserving the right, however, to build bridges across said channel with suitable draws.

THIRD.—The said party of the first part hereby further covenants and agrees that it will issue to the said Horace W. Carpentier fifty one-hundredths, equal to twenty-five thousand shares of its capital stock, also issue to the said John B. Felton ten one-hundredths, equal to five thousand shares of its capital stock, and also issue to the said Leland Stanford the remaining forty one-hundredths, equal to twenty thousand shares of its capital stock.

FOURTH.—The said party of the first part hereby further covenants and agrees that it will and does hereby authorize the city of Oakland or other parties to construct a dam above the "Oakland Bridge" across the estuary

of San Antonio, which lies between Oakland and Clinton, so as to retain the water and keep the land above submerged to high-tide mark, for the use of the owners of the adjoining lands and the public.

[Signed]

Seal of the
Western Pacific
Railroad Company.

THE OAKLAND WATER FRONT COMPANY,

By HORACE W. CARPENTIER, *President*,

LEOYD LEVIN, *Secretary*.

THE WESTERN PACIFIC RAILROAD COMPANY,

By LELAND STANFORD, *President*,

E. H. MILLER, JR., *Secretary*.

HORACE W. CARPENTIER,

JOHN B. FELTON,

LELAND STANFORD.

Articles of Agreement made this 1st day of April, 1868, between the Western Pacific Railroad Company, party of the first part, and Leland Stanford, party of the second part, and the Oakland Water Front Company, party of the third part.

WHEREAS, Horace W. Carpentier has by deed bearing date of March 31, 1868, conveyed the water front of the city of Oakland, and certain rights, privileges, and franchises to the said party of the third part. And, whereas, the said party of the third part has executed and delivered to the said party of the first part, bearing even date herewith an agreement to convey certain portions of said premises to the said party of the first part, which deed and agreement are hereby referred to for greater certainty.

Now, the said party of the first part hereby covenants and agrees in consideration of such conveyance of said premises, that, upon such conveyance or conveyances being made so as to vest a good title in fee simple in said premises in said party of the first part, and upon the performance and execution by the municipal authorities of the city of Oakland, of all instruments, ordinances, acts, and proceedings necessary to perfect, complete, and make good the title to said premises described in the said deed from the said Carpentier to the said Oakland Water Front Company, and which is to be done within a reasonable time from this date, it will, within eighteen months thereafter, and with reasonable dispatch proceed and construct or purchase and complete a railroad connection from its main line to the said parcel or parcels thus selected by it, or one of them, and will, within said time complete such connecting railroad thereto; and, further, will erect and construct on said selected parcels, or one of them, the necessary buildings and structures for a passenger and freight depot for the use of its said railroad, expending upon its said premises, within three years, not less than five hundred thousand dollars in gold coin, but not including therein the purchase of existing improvements thereon. And if the said party of the first part shall fail, neglect, and refuse to provide such connecting railroad, and to make such depot buildings, and expend the said sum of money within the said three years; the said five hundred acres thus conveyed shall be forfeited and the same shall be conveyed by said party of the first part to the city of Oakland.

And the said party of the first part further covenants and agrees that it will not convey to any person or corporation any portion of the said five hundred acres, at any time within two years from this date.

And the said party of the second part hereby covenants and agrees that the said party of the first part shall and will faithfully do and perform its said covenants and agreements herein set forth.

And the said party of the first part hereby further covenants and agrees that in constructing its bridges across that portion of the estuary of San Antonio which lies between Oakland and Clinton, between San Antonio Creek and the Oakland Bridge, it will leave a space under each of said bridges of not less than forty feet in width free and unobstructed by piers or otherwise, for the passage of flatboats, scows, barges, and vessels without masts, and will not place any obstructions in said estuary between said points, except what may be necessary for such bridges—such bridges to be without draws or openings.

[Signed]

Seal of the
Western Pacific
Railroad Company.

THE WESTERN PACIFIC RAILROAD COMPANY,

By LELAND STANFORD, *President*.

E. H. MILLER, JR., *Secretary*.

LELAND STANFORD.

THE OAKLAND WATER FRONT COMPANY,

By HORACE W. CARPENTIER, *President*.

LEOYD LEVIN, *Secretary*.

From the foregoing documents it will need no remarkable penetration to solve the riddle and find that the Oakland Water Front Company and the Western Pacific Railroad Company were one and the same in their interests. They put forth their



Yours Respect,
J. B. Haines



octopus arms and drew everything within their vise-like clutches. It mattered not whether it was marsh or tide lands, all must be held so that their position should be strengthened, while a line of demarkation was quietly but surely being drawn around the doomed city. The transparent transfers on record will expose the weakness they felt, as well as display the grasping greed that governed their actions.

Let us now return to the transactions of the City Council. On April 2, 1868, it was

Resolved, That it is the unanimous desire of the Council that Samuel Merritt, Esq., the Mayor of Oakland, accept the position of Trustee of the Oakland Water Front Company.

A resolution that was carried without a dissentient voice, while, on the same date an ordinance entitled "An Ordinance for the Settlement of Controversies and Disputes, concerning the Water Front of the City of Oakland, the Franchises thereof, and other Matters relating thereto, passed, and approved, April 1, 1868, was finally voted for and passed. This was followed by the passage of "An Ordinance Finally Settling, Adjusting, and Compromising the Question of the Water Front." This instrument was as follows:—

SECTION ONE.—It appearing to the satisfaction of the Council, that all the terms and conditions of a certain ordinance heretofore passed, entitled "An Ordinance for the Settlement of Controversies and Disputes concerning the Water Front of the City of Oakland, the Franchises thereof, and other Matters relating thereto" have been fully satisfied and complied with by Horace W. Carpentier and his assigns, all the ordinances and deeds therein mentioned and described are hereby finally ratified and confirmed, and all disputes, controversies, claims, demands, and causes of action heretofore existing between the city of Oakland on the one part and Horace W. Carpentier and his assigns of the other part, relating to the force and validity of the said ordinances and deeds are hereby abandoned and released by the said city of Oakland to the said Carpentier and his assigns—Provided: That nothing herein contained shall release the right of the city of Oakland to the reversion of the property, franchises, and rights released, as provided in the contract between the Western Pacific Railroad Company and the Oakland Water Front Company, in case said city of Oakland shall become entitled to the same under said contract.

About this time John B. Felton addressed the citizens of Oakland on the subject of the water front, and being possessed of a noble intellect and logical mind it was no difficult task for him to cast a halo around the subject, which they found out only after the compromise had been indorsed by them and the actions of the Council fully confirmed.

At the meeting of the 6th April, Alderman Hobart introduced "An Ordinance to repeal the Ordinance granting to the San Francisco and Oakland Railroad Company the use of a portion of the Water Front," which was duly carried; after which it was

Resolved, That the City Clerk be instructed to return to A. A. Cohen, President of the San Francisco and Oakland Railroad Company, the sum of one hundred dollars, which amount was received by him from said Cohen, as rent of the portion of the water front lying below high-water mark between the easterly line of Franklin Street and the westerly line of Webster Street, extended, being three hundred feet in width and running into San Antonio Creek for a distance of three hundred and fifty feet.

On April 16th the following resolution was offered by Mr. Moody:—

Resolved, That a committee of three be appointed to investigate the conflicting interests of the city and the San Francisco and Oakland Railroad Company to certain water-front rights between Webster and Franklin Streets, and to report at the next meeting of the Council some method of adjusting and compromising the same if possible.

A. A. Cohen, who was present, then made some explanatory statements in regard to the subject, after which, on motion of Mr. Hobart, and some discussion, the resolu-

tion was finally passed with the emendation that all should be omitted after the word "Council." Messrs. Moody, Barnes, and Pendleton, of the Council, having been appointed such committee, through the first-named gentleman made the following report: "That in October last, the Council, with the approval of the Mayor, granted to the San Francisco and Oakland Railroad Company the use for fifty years of that portion of the water front lying between Franklin and Webster Streets, that in the settlement of the general water-front interests in the current month one only reservation of four hundred and twenty feet was made upon the water front to give to the city at least one place for free egress and ingress:—that this reservation includes the same property granted to the San Francisco and Oakland Railroad Company.

"Your Committee believes that if it was necessary to make a reservation for the benefit of the city, it is equally necessary to so protect that reservation as that no one shall enjoy any exclusive rights, but that the benefits of the reservation should be equally enjoyed by all. In particular your Committee believe that the ferry interests should be especially fostered, and that every ferry should be afforded the fullest accommodation at the least possible cost, or, better still, free from all cost. That though the reservation is quite limited in extent, your Committee believe that with proper economy it will be found sufficient to protect our most important interests. With the view of giving the best possible facilities for a landing upon the creek and for space for a marine railway upon which to repair and clean boats, your Committee would recommend the adoption of some such plan as that accompanying this report by which the San Francisco and Oakland Railroad Company may obtain all the accommodations required, and at the same time the same facilities may be afforded to any other ferry and to transient shipping.

"This recommendation is made under the supposition that the grant to the San Francisco and Oakland Railroad Company will not be confirmed, and that the property will not be disposed of by sale or lease to any other party; but that it will ever remain the property, and under the full control of the city; in which case it will be necessary for the city to make some arrangement for the control and improvement of the same.

"We would recommend that all ferries have slip and landing privileges free of all costs, and that the San Francisco and Oakland Railroad Company be granted the right to lay a marine railway between Franklin and Webster Streets upon the most equitable terms.

"The question as to the legality of the grant to the San Francisco and Oakland Railroad Company is one which properly belongs to the Court; the Council has already given its verdict in making the grant. But still we believe our true interests will be consulted, and all ferry interests be satisfied by the adoption of the plan proposed." The foregoing was the minority report: the majority, Messrs. Barnes and Pendleton, stated, "We believe that said Company has no right nor shadow of claim to one foot of the water front at the place described above, and your Committee believe it would not be good policy for the city to dispose of all the little outlet it has by water at this time, and when it is deemed proper by the Council to dispose of a part or the whole thereof, the sale or lease must conform to the statute and be sold or leased to the highest bidder; we therefore recommend that no portion of said water front be sold or leased at this time."

In his message of March 15, 1869, Mayor Merritt says on this subject: "At the time of the organization of the Water Front Company, I was elected a Director, which position I accepted, the City Council having passed a resolution requesting me to do so. One share of the stock of the company was transferred to enable me to fill that position. Soon after the company was organized, Mr. Calvin Brown, an engineer of skill and reputation, was employed by the company to make a survey of the entire water front of Oakland and to report to that Board his views on the most advisable plan of improvements to be adopted. That gentleman entered upon his duties with zeal, made a hydrographical survey of the creek, the bar, and the entire water front, and presented a very elaborate and interesting report accompanied with a map. Not having that report at hand I can only state some facts which it establishes beyond controversy. I will allude to some of the more important. The water in the creek for miles in extent is of sufficient depth to accommodate vessels of ordinary size at any time of tide. To dredge the bar and convert the creek into a safe and commodious harbor, will cost not exceeding two hundred and fifty thousand dollars. But little dredging will be required to keep the passage open, when the channel is once cut, as the constant flow of the tide will prevent considerable deposit, etc.

"I am informed that a suitable dredger has been purchased and is now about due from the Atlantic States, and will be put to work soon after its arrival.

"I know the policy which the Water Front Company designs to pursue is a liberal one, and will tend to encourage improvements on the water front, stimulate manufacturing business, and thereby add to the existing growth and prosperity of Oakland. The interests of the Water Front Company and the citizens of Oakland are so nicely blended that the two cannot be separated; the line of demarkation cannot be drawn; whatever promotes the interests of the one must reflect its advantages upon the other. It is not easy for any one to fully appreciate or comprehend the many advantages which Oakland will derive from the dredging of the bar, thereby converting the creek into a safe and commodious harbor for vessels; one of these which I regard as the most important to Oakland is the opening up of a new route by giving additional facilities of communication with San Francisco." Certainly the dredging of the creek and the bar at its mouth were highly important to the city of Oakland; but there was another matter of still more importance to it, namely, action to recover the entire water front, a subject which the worshipful Mayor has rather ingeniously burked in the above remarks.

On March 1, 1869, John B. Felton was elected Mayor of the city of Oakland. When put in nomination, the *News*, a periodical published in Oakland, says of Mr. Felton's candidature: "We were somewhat amused by a remark made by a 'sovereign' in reply to a question as to how he liked the ticket headed by John B. Felton. 'Too much water front! Too much water front!' said the voter, who, by the way, is a property-holder, who pays considerable taxes. We reflected a moment and our memory brought us back to the night when land-owner and laborer, mechanic and business man, crowded Shattuck & Hillegass' Hall to suffocation for the purpose of petitioning the Legislature to pass an enabling Act so that the title to the water front should be forever settled, and the terminus of the Pacific Railroad thus secured for Oakland. We do not recollect of seeing at that meeting the particular individual

whose objection to the Felton ticket we have quoted above; but as it was worth a man's life to say a word in opposition to the 'compromise' at that time, we are confident that his voice was in accord with that of the entire community. At the time we speak of—about a year ago—every man who owned a twenty-five foot lot was ready to hug and kiss his neighbor, in view of the *glorious* prospects in store for Oakland. Rejoicing was observed on every hand; old animosities were forgotten, and even the sins of Carpentier were, by the action and voice of the people, absolved unconditionally, and the 'monster whose blighting influence had retarded our prosperity' for years and years previously was reinstated in the good opinions of the community for his efforts to secure the terminus. This glorious feeling and general prosperity was attributed, at the time, to the fact that the location of the Pacific Railroad terminus was about to be fixed in Oakland, through negotiations then pending and about to be closed satisfactorily. Every one said, secure the terminus at all hazards, even if to do so the entire water front, so far as the city's interests are concerned, has to be deeded to the company. In order to induce the Legislature to empower the Council to settle the controversy, an invitation to visit this city and accept its hospitalities was tendered to that body, and on February 22, 1868, that mob came down here, and after feasting and carousing at municipal expense, went back determined to help Oakland to get the upper hand of San Francisco in securing what was regarded as the greatest prize ever offered to any city on the continent. The bills for this banquet were freely and ungrudgingly paid; and well they might be, since, as if by magic, the moment the Bill passed the Legislature, property doubled in value and men who had been for years impoverishing themselves in paying taxes on unproductive lands, suddenly found themselves transformed into millionaires. And this transformation of values was mainly effected by the prospect of having the railroad terminus located here.

"One of the principal agents in these negotiations was John B. Felton. Employed by the Council and instructed by the people, he bartered the city's interest in the water front to a corporation, getting in return therefor that which has trebled in value every foot of property within our city limits. When, therefore, we hear a man objecting to Felton because the latter was one of the main instruments in enriching him, we are obliged to remain indignantly silent. We trust that Mr. Felton will spike the guns of his enemies by addressing a meeting some evening during the present week, and give an account of his stewardship in the water-front transaction. His connection with that business is being misrepresented every day by the very men who made most out of it in the way of speculation, and it would be an act of retributive justice to get them together some evening and explain to them the fortuitous circumstances which has changed their condition from comparative pauperism to plethoric wealth."

Consequent on the action of the Council in taking possession of the water-front lot formerly granted to the San Francisco and Oakland Railroad Company, that corporation brought suit in the Third District Court against the city of Oakland, when the following judgment was rendered by Judge S. B. McKee:—

"THE SAN FRANCISCO AND OAKLAND RAILROAD COMPANY)

v.s.

"THE CITY OF OAKLAND *et al.*)

"The central question of the controversy between the parties of this action involves the consideration and construction of an ordinance passed by the Common Council of the city of Oakland on the 20th of October, 1867, by which the plaintiff claims to have become vested with the rights of property to the land in controversy, which have been invaded and violated by the defendants. Many lesser questions revolve around this central question which have been discussed by counsel, but it is only necessary to examine and adjudicate the validity of the ordinance itself.

"By the ordinance the Common Council granted to the plaintiff, during its corporate existence, a block of land in the city of Oakland, three hundred and fifty feet wide, between what is described on the map of the city as Webster and Franklin Streets, and extending three hundred and fifty feet into the San Antonio Creek, for the purpose of erecting and maintaining thereon a marine railway and wharf.

"For this the plaintiff covenanted to pay the city annually for five years, one hundred dollars gold coin; and thereafter for every ten years, annually, such sum of money as should be agreed upon by three Commissioners to be appointed as provided by the ordinance.

"After the passage and approval of the ordinance, the servants and workmen of the plaintiff entered upon the land and commenced the construction of the improvements, when they were interfered with and prevented from continuing their work by the officers of the city, who took possession of the property. The Common Council afterwards repealed the ordinance. If the rights of property vested in the plaintiff, by the ordinance of course they could not be divested by a subsequent repeal of it.

"Counsel of plaintiff attempt to sustain the validity of the ordinance by the exercise of a power 'to construct and keep in repair wharves, docks, ferries, piers, slips,' etc., conferred upon the City Council by the fourth section of the charter of the city. But such a power can only be exercised for the city and not for the plaintiff, nor any one else. The Council have no authority under it to make improvements of any kind or nature whatsoever, for the use and benefit of a railroad company. If the Council should consider the building of a wharf on property of the city, required by public necessity, it might in exercise of such a power, contract for the construction of it if it had in hand the necessary means. Or, if it had no money and it could substitute the use of the land and the improvement to be constructed on it, for a number of years, as a consideration to induce another to construct such an improvement for the city, the Council might exercise the power in that way; for every power carries with it such incidents as are necessary to make it effectual. But in such a case it must plainly appear that the improvement to be constructed was for the city; and, that when the use of the land which formed the consideration for the improvement ended, the land and improvements would revert to the city as its property. It must also appear that the title to the property remained in the city.

"No such intentions 'crop out' of the ordinance in question, nor are they to be found in any part of it. The object was to build a marine railway and wharf, not for

the use and benefit of the city, for the necessity for such an improvement for the city is nowhere apparent. But the plaintiff, as a railroad company, needed it for its own purposes, and it has authority under the general law of its corporation to receive and take by purchase, voluntary grant, or donation such lands as might be necessary for the maintenance of its railroad, and for such uses and purposes as might be considered necessary for accomplishing the object for which it was created. The construction of this marine railway and wharf, therefore, could only have been intended for the use and benefit of the plaintiff, not of the city, and there is nothing of the elements of a contract, direct or indirect, between the plaintiff and the Common Council for the construction of this improvement for the city.

"The ordinance aims at a disposition of the land to the plaintiff for its sole use and benefit; the word 'grant' used in it is a comprehensive term which may be construed so as to include a conveyance of the fee. The plaintiff obtains by its terms the absolute use and enjoyment of the land and of the rents and profits of it; for, although the plaintiff is prohibited from collecting wharfage, without permission of the Council, this does not interfere with the use and profits of the land. The money agreed to be paid for this is in the shape of annual rent, and in that respect the ordinance has the feature of a lease; but, as a lease, it might be considered void, because it has an uncertain term. But whether the ordinance amounts to a sale or lease of the property, or is, as contended by the plaintiff, simply an act done in the exercise of a power to build wharves, piers, slips, etc., it is void, because the act was not done, nor the sale or lease made, in the manner prescribed by the city charter. All sales or leases of property belonging to the city must be by public auction, upon such terms and conditions as may by ordinance be prescribed, and all contracts for work must be let to the lowest responsible bidder, after publication made. A municipal corporation can only exercise such powers as have been conferred upon it, and in the manner prescribed by its charter. I, therefore, think that the ordinance in question vested in the plaintiff no right of property to the land in controversy, and the defendants are entitled to judgment. Let judgment be entered accordingly.

"S. B. MCKEE, *Judge.*"

Against this decision the San Francisco and Oakland Railroad Company appealed.

On February 26, 1869, an adjourned meeting of the City Council was held for the purpose of receiving a report of a special committee appointed to inquire into Dr. Merritt's title to certain water-front property in the city of Oakland. These gentlemen, through Mr. Moody, made the following report:

"Your committee, to whom was referred the duty of inquiring into the title by which Mayor Dr. Samuel Merritt holds certain property at or near the foot of Washington Street, and for what purpose he holds the same, beg leave to report that in the discharge of their duties they addressed a note, of which the following is a copy, inclosing the resolution of inquiry, to his Honor, the Mayor, to Lloyd Tevis, Secretary of the Water Front Company, and to Messrs. John B. Felton and E. R. Carpenter:

"OAKLAND, February 24, 1869.

"DEAR SIR:—Inclosed please find a resolution which will explain itself. To assist the committee in the discharge of their duties, will you do us the favor to

answer the following questions: By what title, if any, does Dr. Samuel Merritt hold the water-front property on San Antonio Creek, lying between Broadway and Clay Streets, at or near the foot of Washington Street? Did he obtain the property in trust for the city, or for his own use and benefit? Please answer in time for the committee to report upon Friday evening, February 26th, and oblige, etc.'

"To this communication the following reply was received:

"SAN FRANCISCO, February 26, 1869.

"MESSRS. W. G. MOODY AND F. M. CAMPBELL, COMMITTEE—*Gents*: The following statement is made in reply to your letter of the 24th instant: Some months ago Dr. Samuel Merritt applied to the Oakland Water Front Company for the land referred to by you. He represented that the building of the new bridge, as proposed by the railroad companies, would seriously damage his property at the old bridge by destroying his communication with the creek, and that all he desired was a fair remuneration for the actual loss sustained by him. On the 11th July last the Board passed a resolution appointing a committee to confer with Dr. Merritt on the subject. Up to this time no arrangement or understanding had been made with Dr. Merritt in reference to this land at the time of the settlement of the water-front compromise, nor has there been any since, except what might be inferred from expressions of members of the Water Front Company favorable to his request.

"Yours Respectfully,

LLOYD TEVIS,

"*Secretary of Water Front Company.*

"JOHN B. FELTON.'

"Your Committee have also received the following communication from the Mayor:—

"OAKLAND, February 26, 1869.

"MESSRS. MOODY, CAMPBELL, AND BARNES—*Gents*: I am in receipt of your favor of the 24th instant, inclosing a copy of a resolution passed by the Council relating to the property which I have recently improved near the foot of Washington and Clay Streets in this city. The questions which you wish me to answer are as follows, viz.: By what title, if any, do you hold said property? If you have a title, from whom did you obtain it, and what was the consideration paid for the same? Did you obtain the property in trust for the city or for your own use and benefit? In reply, permit me to say: No conveyance has ever been made to me of the property in question. Some weeks, or perhaps months, after the settlement of the water-front controversy, I made application to the Water Front Company for the property referred to, for the purpose of constructing a wharf, it being understood that the Western Pacific Railroad Company proposed to enter this city by building a bridge across the arm of the San Antonio Creek, *without a draw*, which would virtually cut off communication with my present place of business near the Oakland bridge. That application was referred to the Executive Committee with power to act. Since then, I am not aware that any action has been taken in the premises. I do *not* hold the property in trust for the city. I remain, etc.,

SAMUEL MERRITT.'

"In these communications we noticed: *First*—That no valid title to this property has passed to Dr. Samuel Merritt. *Second*—That the doctor applied to the

Oakland Water Front Company for this property as compensation for damages sustained upon certain other desirable property, by certain contemplated improvements. *Third*—That no definite action has been taken upon this claim, and, *Fourth*—That neither at the time of the water-front settlement, nor at any time since, was there any agreement or understanding other than expressions of members of the company to his request.

“In presenting this matter so that it may be thoroughly understood, your Committee feel compelled to make the following points: *First*—That the Mayor, Doctor Samuel Merritt, is in full possession of the property at or near the foot of Washington Street, claiming the ownership thereof, using it for his own profit, and has been for nearly one year. *Second*—That the property near the bridge, referred to, has suffered no damage by any contemplated improvements; and when these improvements are made it may be found that this property suffers no damage; or, it is possible that the plan of improvements may be so changed as that no damage can result; or, these improvements may be deferred at that point, using for a considerable time the present means for crossing the creek. In either event the doctor would be the apparent owner of both properties, with no damage to the upper property. *Third*—That Doctor Samuel Merritt has no title to a large, if any, part of the property near the bridge, as he himself has informed a member of your Committee. That being upon the property as a mere trespasser upon the city or its assigns, your Committee cannot see what legal or equitable claim he can possibly have for damages in this case. *Fourth*

That Doctor Samuel Merritt obtained possession in some manner, through the water-front settlement, at or near the foot of Washington Street, and that no consideration has passed for the same; and that at the time of the water-front settlement, and ever since, he was engaged in the water-front negotiations as agent for the city, and has ever since been a member of the directorship of the Oakland Water Front Company as representative of the city's interests.

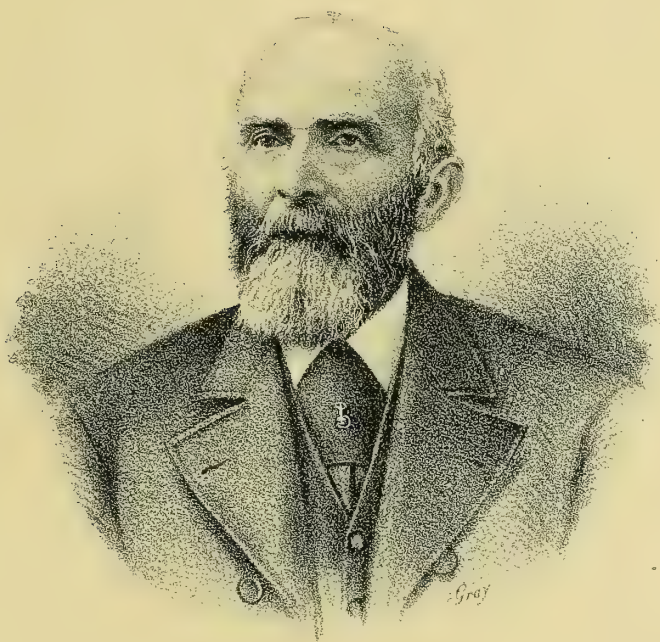
“Your Committee therefore come to the conclusion that, inasmuch as Doctor Samuel Merritt obtained the property in some means through the water-front settlement, without the payment of any valuable or legal consideration, and during the time he was representing the city of Oakland, and in all those transactions, your Committee are compelled to believe that he, the Mayor, holds this property for the city, whatever may be the title under which he claims, and that the city should take the necessary steps to protect her interests. With this view, your Committee have not felt called upon to discuss the comparative value of the property near the bridge with that at or near the foot of Washington Street. Your Committee would, therefore, recommend that the City Attorney be directed to take the necessary steps to protect the city's interests in the water-front property, at or near the foot of Washington Street now held by Samuel Merritt, Mayor. With this view your Committee recommend the passage of the accompanying resolution.

“W. G. MOODY,

“D. G. BARNES.”

The resolution submitted was briefly to the effect that the City Attorney take the proper steps to recover the property at the foot of Washington Street.

The foregoing being the majority report, we now give that of the minority: Mr. Campbell stated that he had not signed the report as the committee was instructed to



Adam Fath.

ascertain and report facts, not to express opinions and make pleas. He had not seen the report until early in the evening. As a member of the Committee he would simply submit the documents from Dr. Merritt and Messrs. Felton and Tevis. It was for the Council to devise plans and to act. Mr. Moody then made a speech in which he asserted his bravery in daring to undertake anything for the public good; while Mr. Campbell considered that the letters referred to had not been submitted to him in time for him to consider them. The resolution submitted by Mr. Moody did not even meet with a seconder.

It may be mentioned here that a newspaper war had been waged between Messrs Moody and Merritt about this time, in which the former was very severely handled by the doctor.

In this year the Water Front Company entered suit against the city to quiet title, which, May 10th was duly reported on by the City Attorney. In regard to the matter, August 9th, E. R. Carpentier forwarded the following communication to his Honor Mayor Felton:—

"I have this day entered a dismissal of the suit brought in the Twelfth District Court by the Oakland Water Front Company against the City of Oakland. As you, will remember, that suit was instituted soon after the Water Front Compromise in pursuance of an understanding, then had, that a judgment should be obtained without opposition, quieting the title of the Water Front Company to its lands and franchises in accordance with the terms of the compromise.

"The then Mayor, on whom process was first served, was a Trustee of the Water Front Company; and he was succeeded in office by yourself, also a Trustee of the company. Under such circumstances it was not thought proper to take a judgment by default against the city, and no judgment was entered.

"Recently the City Attorney has entered an appearance. But as the understanding in pursuance of which the suit was instituted seems to have been forgotten by some, and the object of the suit misapprehended by others, and there not being at this time any real dispute by the city of the company's title, nor any doubt entertained of its validity, the company has thought it proper that the case be dismissed."

It is to be hoped that we may not be brought under the ban of prolixity. Our aim has been to place before our readers the true story of the water-front controversy itself. To follow it from its germ to its full fruition as the so-called property of the Central Pacific Railroad Company, which is, so far as this affair is concerned, an agglomeration of the railroads and companies mentioned in these remarks, and evidently the inspirer of all action since taken. In his message of February 28, 1876, Mayor Webber sounds the pæan of the "Central Pacific" in these words: "Nearly the whole of the frontage on the line of the Oakland water front is owned by private parties, Council having at an early day transferred this property and a subsequent Council having ratified the transfer. This latter act was the inducement that influenced the Western Pacific Railroad Company to locate their terminus in this city. Extended improvements have been made by that corporation and its successor, the Central Pacific Railroad Company; and the importance and prosperity of the city has been immeasurably advanced. The right of the city to extend its streets to the line of ship channel has never been denied, and when necessity for such action arises I doubt not but that

right will be asserted. There is no conflict of interest between the individuals and corporations owning this property and the city. Whatever improvements they may make will advance the public interests; they cannot turn their possessions to any valuable use without benefiting the whole city as much, if not more, than they benefit themselves. The public have a deep interest in the policy of the large corporations that have such an influence in promoting the common prosperity, and the time has fully arrived when a request should be made to the Water Front Company for the property which forms the extension of one or more streets, that wharves may be constructed there by the city. Operations upon the bar have so far advanced that we must soon have a commerce that will demand such facilities as suggested. We have ample reasons for the great faith we entertain as to Oakland's future. The wonderful growth of the last few years is but the forerunner of what is to come. We hold the position of center of the railroad system of the Pacific Coast. All railroads entering the State must seek San Francisco, and the easiest way to reach the metropolis is by Oakland. We must afford what privileges we can for the encouragement of such enterprises and render our city easy of approach by land and water. Railroads, commerce, and manufactures are to be the basis of our prosperity, and the policy of Oakland should be enlightened and liberal. Though there are few direct acts within the province of the Council which would have an important bearing, the general tenor of all your acts exerts a powerful influence. When it is seen that you are friendly to all enterprises that can increase Oakland's greatness, and that you duly appreciate their importance, the city becomes an inviting field for men of capital and energy. Your policy has been, thus far, most praiseworthy, and it is bringing its merited reward."

The reward to which his Honor alludes to must be, to use his own words given above, "the time has fully arrived when a *request* should be made to the Water Front Company," and through them the Central Pacific Railroad Company, "for the property which forms the extension of one or more streets, that wharves may be constructed there by the city"—and this in the face of a ruling of the Supreme Court, already produced *in extenso*.

In the summer of 1877 a clamor was raised in favor of taking legal steps to open up the case from the beginning, the particular occasion for which was the dedication by the Oakland Water Front Company to the city of "the channel of San Antonio Creek from ship channel, in the bay of San Francisco, to the town of San Antonio, said channel or navigable water-course to be included between parallel lines, and to have an uniform width of four hundred feet," a width that was deemed insufficient for the future commercial wants of Oakland. On November 12, 1877, Henry Vrooman, the then City Attorney, addressed an able and lucid opinion on the subject to the Council. In this document he states ere concluding: "We have herein before shown: *First*—Not only that the Estuary of San Antonio, or 'Oakland Harbor,' is navigable in fact and in law, but as well that it is, in fact, navigated by vessels from both foreign and domestic ports. *Second*—That Congress has the exclusive right to regulate commerce with foreign nations and among the several States; that this includes the right to prevent the obstruction of any of the navigable waters of the United States, of which the waters of 'Oakland Harbor' are certainly a part, and that Congress has

exercised its power, in regard to the Estuary of San Antonio, by appropriating for, and spending money in, the improvement thereof, with the intention and avowed purpose of increasing the capacity of said harbor. *Third*—That the National, State, County, and City Governments have spent large sums of money amounting in the aggregate to hundreds of thousands of dollars, in improving the very harbor over which this Oakland Water Front Company assumes to exercise the rights of ownership, which it pretends to own in fee-simple, and through which it now assumes to dedicate a limited channel four hundred feet wide. *Fourth*—That if the channel is limited to a width of four hundred feet, as by this company proposed, the capacity of the harbor will be greatly lessened, to the irremediable detriment, inconvenience, and interruption of commerce and navigation, and a consequent injury to the city of Oakland.

“Wherefore, my conclusions are, and I so advise you:—

“*a.* That the Estuary of San Antonio, or “Oakland Harbor,” and the whole thereof, between the lines of low tide, is a public highway for navigation, and that the Oakland Water Front Company has no right to use, build wharves within, or bridges across, or to exclusively occupy or appropriate to its own use any portion of said estuary or harbor (waiving in this report any question touching the title to the shore of the estuary).

“*b.* That the action of said company in assuming to dedicate a limited channel or water-way through the harbor, confers no additional rights upon the public, because the public have the prior and paramount right to the whole harbor.

“*c.* That it is not necessary or advisable for your honorable body to accept said dedication, or take any action in the matter; and

“*d.* That if said company does not immediately relinquish its pretended claims to said estuary or harbor, and to the whole thereof, the best interests of the city demand the commencement and vigorous prosecution of such proceedings as will establish the rights of the public to said harbor, and for this: That the further improvement of the estuary by the United States Government will be prevented, unless this pretended claim can be set aside.”

And now comes the last act of what may be termed the Water Front Tragedy. On November 10, 1879, the Central Pacific Railroad Company filed a complaint against the city of Oakland, in the Third District Court, in an action to quiet the title to the water front. Besides this the complaint, which was sworn to by Charles Crocker, seemed to claim an exclusive right of way into the city of Oakland, over all other railroads. Suit having been brought it was necessary to take steps towards making a defense; therefore, at a meeting of the Council held December 1, 1879, a resolution was presented authorizing the Committee on Ordinances and Judiciary to “employ counsel to assist the City Attorney in defending the suits now commenced against the city in which the title to the water front of the city is involved.” On motion to adopt, Mr. Hewes presented a communication from Judge A. Campbell, Senr., and Chief Justice A. L. Rhodes, and called for its reading, which was done, Mr. Hewes then addressed the Council at considerable length, approving the suggestions made in the communications and opposing the adoption of the resolution. Mr. Millan offered as a substitute a resolution directing the Committee on Ordinances

and Judiciary to inquire into and report to the Council the probable cost of defending the water-front suits, and addressed the Council opposing the original resolutions and advocating the adoption of the substitute. The substitute was lost by: Ayes—Messrs. Millan and Hewes, 2; Noes—Messrs. Cole, Wall, Babcock, and President White, 4. Mr. Hewes offered as an amendment that the Committee on Ordinance and Judiciary be authorized and empowered to employ Messrs. Campbell and Rhodes to defend all the suits brought against the city by the Central Pacific Railroad Company, C. P. Huntington, and the Water Front Company. Mr. Hewes again addressed the Council, earnestly advocating the ability of the above-named gentlemen. The amendment was lost, Messrs. Millan and Hewes voting for, and Messrs. Cole, Wall, Babcock, and White against it. Mr. Millan then raised a point of order that the committee could not be empowered or delegated, unless by unanimous vote of the Council and before a ruling was had from the Chair. Mr. Hewes offered an amendment, directing the committee to report to the Council the names of the attorneys to be employed, and the amount to be paid. The amendment was ruled out of order, as the matter had been already disposed of. Mr. Millan then moved to lay the original resolution on the table, which was lost: Messrs. Millan and Hewes voting aye; and Messrs. Cole, Wall, Babcock, and White, no. An amendment was offered to add the words: "the action of said committee to be subject to ratification or rejection by this Council," which was adopted by the following vote: Ayes—Messrs. Millan, Cole, Hewes, Babcock, and White; No—Mr. Wall. The resolution was then adopted as amended, there voting for it Messrs. Millan, Cole, Wall, Babcock, and White, and against it, Mr. Hewes. This gentleman next offered a resolution expressing the sense of the Council that "it" (presumably the Council) was antagonistic to the interests of the Central Pacific Railroad. After some discussion the resolution was laid on the table by a vote of five to one.

On December 4th a motion was made having as its purpose the employment of Albert A. Cohen as counsel to defend the water-front suits. It being read and motion made to adopt, Mr. Hewes addressed the Council, advocating the propriety of employing additional counsel and expressing a fear that by employing one at a time it would open the door for the approach of designing men. President White then called Mr. Babcock to the Chair and addressed the Council, acknowledging the weight of responsibility he felt in the premises, and declared his intention to stand by the interests of the city. Mr. Millan next addressed the Council, approving the action of the committee and favored the adoption of the resolution. Mr. Hewes, in explanation, stated that he would vote for a resolution employing Mr. Cohen, with the understanding that it was the intention of the committee to employ other counsel, and would favor the employment of Mr. Vrooman, Judge Rhodes, or others who might be named; he could confide in the good judgment of the committee. The resolution was then adopted. On the 17th December, the attorneys in the water-front suits were directed to commence action against Samuel Merritt and others, to recover lands now in their possession on the water front; while on the 22d of that month Col. J. P. Hoge was employed as counsel for the city.

The last entry on this subject which we will place before the reader is that on January 12, 1882, there was passed "An Ordinance to prevent further litigation concerning the Oakland Water Front"—a consummation devoutly to be wished; but

the citizens of Oakland should never forget that Judge Baldwin has said: "The grant of the exclusive franchise by the Trustees is absolutely void." "The power to lay out and regulate wharves being given to the Council, cannot be exercised by Carpentier." "We think that the general grant of this exclusive privilege is wholly void as exceeding the powers of the corporation." Judge Hoffman has placed on record the opinion that "the legality of the grant of an exclusive franchise cannot for a moment be supported." The Supreme Court of California stated: "We think then that this general grant of this exclusive privilege is wholly void." The late Governor Haight gave it as his opinion that "The claim advanced by the Water Front Company is perfectly baseless." And in 46 Cal., 18, the reader will find these words: "Nothing short of a very explicit provision in the law will justify the Court in holding that the Legislature intended to permit the shore, between high and low water mark, to be converted into private ownership."

Closely allied to the water-front question is the subject of communication with San Francisco. It is now our purpose to follow the topic to the best of our ability.

We doubt not that if the records of some of the Mexican ports could be referred to we would find that the San Antonio Creek is mentioned therein. With the splendid adjunct of the bay of San Francisco it is unquestioned that droghers found their way to the embarcadero of San Antonio, there to ship hides and tallow from the ranchos of the Peraltas. Upon the arrival of the earlier pioneers and their establishment in the San Antonio redwoods, its advantages as a navigable stream were still further tried, and with the advent of the gold-seekers its capabilities were still further put to the test. From the earliest times it has been practically an artery of navigation, and as such was the proper property of the "Lord of the Soil," and could not be handed over to the tender mercies of private individuals.

We have seen that communication with San Francisco was at a very early day kept up by means of whale-boats, and one of these named the *Pirouette* plied regularly as a ferry-boat between the embarcadero at San Antonio and San Francisco. The first official intelligence, however, of there being an actual ferry is to be found in the records of Contra Costa County, where, on August 4, 1851, the Court of Sessions granted a license to H. W. Carpentier and A. Moon to run a ferry "from Contra Costa, in the township of San Antonio, to the city of San Francisco," and fixing the tariff as follows:—

For one person.....	\$1 00
" one horse.....	3 00
" one wagon.....	3 00
" one two-horse wagon.....	5 00
" meat cattle, per head	3 00
" each hundred weight.....	0 50
" each sheep.....	1 00
" each hog.....	1 00

And in that year regular communication was established. In 1852 the San Antonio Creek was declared to be a navigable stream by Act of the Legislature.

In 1850 the *Kangaroo* was put on the route, but made only two trips in the week, her point of departure being San Antonio (now East Oakland). A small steamer, name not remembered, ran from Oakland in 1851, while, in 1852, the *Boston*, and the

Caleb Cope, Thomas Gray, Master, commenced to ply. The first-named was, however, shortly after this destroyed by fire. Towards the end of the year the *Kate Hayes*, the *Red Jacket*, and other boats were put on the route, until finally the Contra Costa Steam Navigation Company was established, with two steamers, making regular daily trips, and charging one dollar for each passage.

On January 15, 1853, the now famous Board of Trustees passed an ordinance granting to the Contra Costa Steam Navigation Company ferry privileges between Oakland and San Francisco, which, however, was repealed on the 1st of March following. An attempt was made though to have a bill quietly passed through the Legislature granting the exclusive privilege to G. W. Ryckman to establish and run a ferry between Oakland and San Francisco, an action which brought forth the following resolutions from the Council at a meeting held April 18, 1854:—

WHEREAS, We have learned that a bill has been introduced into the Senate of this State, proposing to grant a monopoly of the ferry privilege between the cities of Oakland and San Francisco to Garret W. Ryckman for fifteen years, at rates of ferriage exceeding those now charged upon the ferries already established, and to raise a revenue therefrom to the State, therefore be it

Resolved, By the City Council of the city of Oakland, that we view such a proposition with jealousy and regret, as an unwarrantable attempt on the part of foreign speculators to cripple the commerce and resources, and to retard the prosperity of this city.

Resolved, That we regard all such monopolies as injurious, not only to the city of Oakland, but also to other towns in the vicinity. The Legislature has already declared San Antonio Creek to be a navigable stream. There are several towns situated upon it and it is the only outlet for the increasing trade of one of the most populous and fertile valleys of the State. Any individual or individuals, who, by Legislative enactment, may hold a monopoly of that trade, will thereby injure and retard the growth and enterprise of our city and surrounding country. We deem a fair and honorable competition in all ferry enterprises between this city and San Francisco as a matter of constitutional right, and we deprecate any attempt to curb the prosperity of our people by the granting of any monopolies in relation to the same.

Resolved, That we protest against any attempt to raise a public revenue by a special tax levied upon the citizens of Oakland as unjust, undemocratic, and oppressive.

Resolved, That our Senator and member of Assembly be requested to oppose the passage of said bill.

Resolved, That his Honor, the Mayor, be requested to forward copies of the foregoing preamble and resolutions to our Senator and Assemblyman and to the branches of the Legislature.

In his message of April 29, 1854, Horace W. Carpentier, then occupying the civic chair, reverts to the subject of ferries in these words: "The subject of public ferries is an important one and worthy your consideration. Upon the proper regulation and the facilities for travel which they afford, Oakland is largely dependent, and I recommend that vigorous measures be taken to insure the speedy removal of the bar at the mouth of the San Antonio, so as to render communication with San Francisco easy and certain at all hours and stages of the tide. Your attention has already been directed to a bill now pending before the Legislature, granting to an individual a monopoly of ferry privileges for fifteen years at greatly increased rates of ferriage, and to raise therefrom a revenue to the State. A proposition more manifestly unjust to the city of Oakland, or more devoid of all guarantees for the public security and convenience could scarcely have been devised, nor one which will meet the more earnest disapprobation of every man living in Oakland or its environs, or in the least interested in its prosperity. The resolutions of remonstrance heretofore passed by the City Council, I have caused to be presented to the Senate, and I feel assured that no fears need be entertained of its passage." In the foregoing we can see the jealousy that

was to prevent at all hazards the establishment of any line of communication in which the Carpentier faction had no interest. To them the navigable waters of the creek and bay were a part and parcel of the water-front concession—so-called—therefore the Mayor might well encourage the Council with the words, "that no fears need be entertained" of the passage of the bill through the Legislature. It is curious to watch also that what was a monopoly in one case was not so in the other—exclusive possession of ferry line was not akin to exclusive possession of a city's entire water front! A year later, in 1855, the Council passed another resolution earnestly remonstrating against the passage of any law by the Legislature granting to any person, persons, or body a monopoly of ferry privileges between Oakland and San Francisco; while, in accordance with the suggestion of the Mayor, a resolution was passed, January 10, 1855, that proposals for the removal of the bar at the mouth of San Antonio Creek, or dredging the same, so as to admit of navigation at low stages of the tide be received, and that the same be handed in to the Clerk of the Council on or before February 1, 1855.

We have shown before that Horace W. and E. R. Carpentier had been granted exclusive ferry rights in March, 1855, and that considerable dissatisfaction was being felt at the consequence of this concession, but still they held their own against all comers.

Mayor S. H. Robinson, on April 2, 1856, sent a message to the Council wherein he dwelt at length on this and the subject of the Oakland Bar. He said, "I would call the attention of the Council to the bar at the mouth of the San Antonio Creek, an obstruction to the navigation of the same, which is estimated can be moved for about five thousand dollars. The dredging of this bar, owing to exaggerated estimates of its cost, has heretofore been looked upon as an enterprise, the expense of which was far beyond the reach of the limited means of our city. Such, however, is not the case. There is not a property-holder or a business-man within its corporate limits that would not cheerfully pay an additional percentage as taxes towards such an object, knowing that the value of property and the amount of business would be increased thereby. The citizens of Clinton and San Antonio profess a willingness to contribute to this object, but they cannot be expected to do anything in the matter until Oakland takes the lead. I particularly urge you to consider this matter and would recommend the passage of an ordinance appropriating the sum of two thousand dollars to be paid, provided the balance is made up by cash subscriptions from other sources. Every part of Alameda County, and every citizen living within its limits is directly interested in the matter and would, I have no doubt, if the subject was properly presented, contribute liberally towards the removal of its obstructions, without which a cheap, speedy, and certain access to the San Francisco market cannot well be found.

"And in this connection I desire to call your attention to the subject of the ferry, as one of vital importance to the prosperity of the city. That the present ferry between this city and San Francisco is not what it ought to be and that it is conducted in almost total disregard of the public wants and interests, is a fact notorious to all. What steps, if any, ought to be taken by you with a view to its improvement, I am not prepared at present definitely to recommend, but I commend to you the whole sub-

ject matter as one eminently worthy of your careful consideration. Public improvements, either in dredging the bar, in placing the ferry upon a proper footing, or in constructing wharves, thereby increasing the means of access to our city, are public benefits and should be encouraged by all practical means, and in cases where private property is taken for public use, just and fair compensation should be made therefor." The outcry against the management of the ferry is continued by Mayor Williams, in his message of March 10, 1857. He there remarks: "The want of suitable and proper accommodations for passage between this city and San Francisco has produced great discomfort to passengers and worked a serious injury to the prosperity of this city. The high charges for freight and passage; the want of comfortable accommodations; the uncertainty of time for trip; the length of time to effect a crossing of eight miles—generally one hour—the daily apprehension of remaining grounded on the bar for hours, have deterred hundreds from settling here, who, doing business in San Francisco, would otherwise, with their families, have been domiciliated with us. The rates for passage charged, for instance, one hundred and eighty dollars a year for commuters, or, three hundred and sixty-five dollars per annum for non-commuters, and for individuals for daily passage, and same rates of freight as charged two years ago, would seem to afford patronage sufficient to justify more convenient and enlarged accommodations, especially for females and children, to whom the want of suitable and proper arrangements, especially in inclement weather, is a serious inconvenience.

"San Francisco Bay is an arm of the sea, being a maritime highway, and San Antonio Creek declared by Legislature a navigable stream, there is not now, and cannot be, any legal ferry monopoly. The regulations of the wharf and dockage privileges are entirely under your legal control, independent of the question of the ownership of the water front; and it is believed that a competition of passenger boats would produce a great reduction of fare; increased speed on trips; more promptness in the time of starting; greater comfort in the passenger-seats on board; less annoyance of wharfage at each end of the trip, and still leave, for two rival lines, a far larger profit per cent. on the capital invested than any other business or investment in the State. It is believed that the wharfage and dockage receipts realized by individuals which justly belong to the city are far more than adequate to pay the whole expense of the City Government, including the public schools without any other source of revenue. I recommend your encouragement of any feasible plan for competition in passenger boats, and, also in connection with this subject, a careful revisal and re-enactment with amendments of Ordinance Number Twenty-two, 'to regulate the tolls, wharfage, and dockage on wharves, piers, and slips'—approved May 16, 1855, and the subsequent enforcement of a strict compliance with its provisions and an examination of the rights of the city to the wharfage and dockage collected at the wharves."

It needs no words of ours to impress the reader with the annoyance experienced and the baneful influences exercised by the Carpentier ferry, under the management of Minturn, to whom the honor of giving the name to the line is awarded. The Mayor in the above statement has most capably told the story, while, at the same time, in relation to the bar he says: "The dredging of the bar at the mouth of the San Antonio Creek is also a work of such general utility to the counties bordering on each side of the bay, and the whole country at large, and so unlikely of accomplish-



Capt. Ludwig Siebe

ment under any present arrangement, that it would seem to present just claims to the consideration of the Legislature, and I therefore submit to you the propriety of an application for aid from the State to dredge and plank a channel of sufficient depth and width to obviate any further danger or obstruction from that source in all time to come."

The discontent with the Minturn line continued and soon manifested itself by the establishment of the Oakland and San Antonio Steam Navigation Company. This association was duly launched towards the end of 1857, and with the feeling then existing towards the opposition company, it was not long before all of the stock was taken up, and its originator, the lamented Hon. James B. Larue, installed as its President. They at once purchased the steamer *Confidence*, and from her built the *San Antonio*, which commenced to ply in April, 1858, the rate of fare being reduced to twenty-five cents. In the fall of that year the *Oakland* was constructed, and with her a very lively competition was inaugurated against the *Contra Costa*, both of which took the place of the *Clinton* and the *San Antonio*. But the newly formed Oakland and San Antonio Steam Navigation Company was not to be allowed to ply its boats unmolested. The suit of Minturn *versus* Larue *et al.* was instituted, in which the plaintiff prayed for an injunction on the ferry of which the latter was President; the case was taken before Judge Hoffman of the United States Circuit Court, and in the July term of the year 1858, that learned exponent of the law rendered the following decision, which declared that the ordinance granting an exclusive franchise was unconstitutional and illegal. It may be remembered that that also was the expressed opinion of Mayor Carpentier, when it was proposed to grant ferry privileges to Ryckman, in 1854:—

"MINTURN vs. "LARUE <i>et al.</i>	}	Circuit Court U. S., July Term, 1858.
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"The Bill in this case is filed for an injunction to restrain the defendants from interfering with the privilege of franchise of the complainant, in a ferry from the town of Oakland to this city, of which he claims to be the exclusive owner for a term of years.

"This franchise is alleged to have been conferred on the complainant by an ordinance and contract pursuant thereto, made by the Trustees of Oakland in the year 185—. The authority of the Trustees to make the ordinance and contract is derived from the Act of the Legislature, passed May 4, 1852.

"Under the supposed authority of this Act, a contract was made by the Trustees, granting to the assignor of the complainant the privilege, claimed to be exclusive, of keeping and running all ferries between the town of Oakland and the city of San Francisco and elsewhere. It is not denied that the defendants are running a ferry-boat between this city and the town of San Antonio, touching at Oakland; nor that the profits and business of the complainants are seriously affected thereby. It is urged that the Court should not, at this stage of the cause, determine its whole merits, but that the injunction should be granted if the complainant has made out a *prima facie* case.

"But it is well settled that injunctions will not be granted to secure the enjoyment of a statutory privilege, unless the right be clear. (3 Cowen, 755; 1 Johns, Ph. R., 64.)

"In cases where an injunction is prayed to restrain an act which, if committed, will work irreparable mischief, it will be granted '*ex necessitate*,' even in doubtful cases, as the only means of keeping the parties '*in statu quo*,' and preventing the parties final decree from being abortive. Such are the cases of the threatened destruction of heirlooms, or works of art, or objects having a '*pictum affectionis*,' like family portraits, etc.; or the publication of private letters, or the erecting of nuisances calculated to work irreparable mischief, etc. In all such cases it is clear that the Court, by refusing the injunction, permits the act to be done, its subsequent decree, granting the injunction, would be but a '*brutum fulmen*.'

"But when an exclusive privilege under a statute is claimed, and the Court is asked to forbid the commission of an act, otherwise lawful, because it interferes with the exclusive privilege claimed, the legal right of the complainant must be clear. It is said that in this case the Court should interfere because the trespass on the complainant is continuous, and cannot be estimated in damages.

"But the damages to the defendants, if they are prevented from running their boat until their cause is heard, are equally unsusceptible of calculation, and may be greater than the complainant can sustain by the competition. The Court should therefore be fully satisfied that the right exists, before, by its injunction, it will cause to the defendants an injury quite as irreparable and perhaps more extensive than that apprehended by the complainant.

"The supposed authority of the Trustees to make the ordinance and contract relied on by the complainant, is contained in the third section of the Act to incorporate the town of Oakland, passed May 4, 1854.* This section provides 'that the Board of Trustees shall have power to make such by-laws and ordinances as they may deem fit, proper, and necessary; to regulate, improve, sell, or otherwise dispose of the common property; to prevent and extinguish fires; to lay out, make, open, widen, regulate, and keep in repair all streets, roads, bridges, ferries, public places and grounds, wharves, docks, piers, slips, sewers, wells, and alleys, and to authorize the construction of the same; and with a view to facilitate the construction of wharves and other improvements, the lands lying within the limits aforesaid, between high-tide and ship channel, are hereby granted and released to said town.'

"It is not claimed that the foregoing provisions constitute a grant to the town of Oakland, of all ferries from that town, as property.

"It is urged, however, that they amount to a delegation to the Trustees of all the legislative and sovereign power possessed by the State, over the subject of ferries from that town. That, in the exercise of that power, the trustees could make any contract and confer any rights, with regard to ferries, they might deem proper, and that, having done so, the rights thereby conferred rested and remain indefeasible, either by the Trustees or the State, except in the exercise of the right of eminent domain.

"The first question to be considered is, what were the nature and extent of the authority conferred upon the Trustees by the Act above cited?

* Should be May 4, 1852.

"The only words in the clause which can be construed to confer the powers supposed, are the words 'make' and 'authorize the construction of.'

"It is evident that most of the empowering words in the phrase do not apply to all the objects in reference to which the powers are to be exercised. For instance: The word 'open' cannot refer to 'ferries,' nor the word 'widen' to 'wells.' The words 'lay out' evidently refer to 'streets,' 'roads,' 'public places' and 'grounds;' and the words 'authorize the construction' have obviously a more specific reference to the docks, wharves, bridges, and sewers mentioned, or to the ferries.

"It is clear, therefore, that the various empowering words in the phrase must be construed distributively '*reddendo singula singulis*;' and they must be distributed among the objects mentioned, in such a way as to give, with respect to each, only those powers which would naturally be conferred upon a municipal corporation, with reference to such objects.

"To apply the word 'make' to 'ferries' and to construe it as conferring the absolute right of leasing indefinitely, or granting the franchise for all ferries from the town to any individual, would seem a forced interpretation, suggested rather by the desire to find in the Act the authority sought for, than by the natural construction of the phrase itself. If 'make' were the only word which could apply to ferries, or if 'ferries' was the only word which would satisfy and give effect to the word 'make,' the construction contended for would be more plausible.

"But the word 'regulate' not only can be applied to the ferries, but is sufficient to confer all the authority with respect to them which would naturally and appropriately be given to a municipal corporation from whom a grant of the franchise in property is withheld; while the word 'make' has a similar operation if applied to the bridges, wharves, piers, docks, sewers, wells, etc.

"'To make ferries' is certainly an unusual and awkward expression. The more appropriate phrase would, obviously be 'to establish ferries;' and had the extensive powers with regard to them which are now claimed, been intended to be conferred, it is hardly possible that the Legislature would have omitted in specific terms to grant and enumerate them. The construction contended for assumes that while the Legislature withheld the grant of the franchise from the corporation as property, it nevertheless intended to give them full power to grant the exclusive franchise as property to any individual; to be assigned or sold by him at pleasure, and capable of being owned by a foreigner or a citizen of another State; and all this by the force of the word 'make' which is wrested from its natural application to other objects and made to refer to ferries by an ingenious and forced construction.

"The words 'authorize the construction of' cannot be appealed to as conferring the powers attempted to be exercised in this case. Whatever propriety there might be in the phrase 'construct a ferry,' the power to do so can hardly be deemed a power to grant or lease an exclusive franchise and privilege of establishing it, especially when such franchise is not conferred upon the donee of the power to construct; and in this case the power is not given to 'construct,' but to 'authorize the construction of' ferries, if, indeed, it refers to ferries at all. It is, therefore, merely a power to permit, or to allow them to be constructed. It would surely be an unwarrantable latitude of construction, to hold that a power to permit the construction of a ferry unaccompanied

by a grant of the franchise, authorized the absolute grant of an exclusive franchise to any one the party empowered to permit might see fit to give it. But for the reasons before assigned, I think the words 'authorize the construction of' apply to wharves, docks, piers, bridges, etc., and not to ferries; with reference to which they are obviously inappropriate. But assuming that the words 'make' and 'authorize the construction of' apply to ferries, the question recurs, whether the trustees were authorized by the power thus given, to confer the right now claimed.

"The ordinance under which the contract with Edward R. Carpentier was made, provides that 'the Trustees, etc., do hereby make, open, widen, lay out, grant, create, ordain, establish, and regulate a public ferry between said town of Oakland and the city of San Francisco, to be called the Oakland Ferry; and they do hereby bargain and contract with Edward R. Carpentier, his heirs, agents, and assigns, to run said ferry for the period of twenty years, according to the terms of this ordinance, either as a separate ferry, or in connection with, or continuance of the one already established and used between said town and said city, hereby granting, selling, and releasing, and conveying to his successors in interest and assigns, exclusively, for the period of twenty years, the right to keep and run a public ferry, or public ferries so as to demand and receive compensation therefor, between the said town of Oakland and the city of San Francisco, or between the said town of Oakland and any other place; together with all and singular the ferry rights, privileges, and franchises which now are or may hereafter be owned by said town.' The contract made in pursuance of this ordinance is in substantially the same language.

"Admitting that so much of this ordinance as purports to establish, create, and make a public ferry between Oakland and San Francisco is a valid exercise of the power conferred on the Trustees, we are next to inquire whether the grant and the subsequent contract was also within the power of the Trustees.

"It will be seen that the Trustees in express terms convey and grant for twenty years to Carpentier and his successors, exclusively, the right of running and keeping a ferry or ferries between Oakland and San Francisco, and between Oakland and any other places, and they undertake to convey to him 'all the ferry rights, privileges, and franchises which now are, or may hereafter be, owned by said town.'

It is not contended that the town of Oakland was the owner of any exclusive ferry franchise whatever. The grant, therefore, of the ferry franchises owned by the town would, of course, pass for nothing. As to the grant of all ferry franchises which might thereafter be owned by it, no observations are necessary; but it is said that the Trustees, in the exercise of their power to establish ferries, had incidentally and as the appropriate means of establishing them, the right to lease them to individuals. It is not necessary to inquire into the authority of the corporation to establish a particular ferry, and to lease it to an individual.

"The right they have attempted to convey to Carpentier was not a lease of a particular ferry between a certain point in the town of Oakland and the city of San Francisco, but the exclusive right to keep and run a ferry or ferries between Oakland or any other place. Thus they abdicated and renounced the exercise of all the powers with respect to ferries with which they were intrusted, except that of 'regulating.' For the power to establish other ferries could be of no avail, so long as Carpentier retained the exclusive right to run and keep them.

"It would perhaps be difficult to find in the history of municipal corporations another instance of so extraordinary a grant. It was not only not an exercise of any power they may have possessed to establish ferries, but it was, in effect, the surrender of the whole power to establish them, and it amounted to an agreement that no ferry should be established from Oakland to any place whatever, unless by the permission of the person to whom they had given the exclusive right to run them. It seems to me that the legality of the grant cannot, for a moment, be supported.

"The authority vested in the Board was conferred upon them as Trustees for the public, to be exercised for the public good. They had not only the right, but it was their duty, and that of their successors, to exercise the power of establishing ferries as agents and trustees of the public, whenever the public good might require.

"The power to establish ferries, if it existed at all, was a continuing power and duty, which existed in every Board of Trustees for the time being; and no contract by one Board not to exercise it, or for the exclusive enjoyment of the franchise by an individual, could prohibit or restrain their successors from exercising the powers vested in them by the statute to establish and license other ferries required by public convenience and necessity. (Fay, *Petitioner*, etc., 15 Pick. 243.)

"But to ascertain more certainly the intention of the law, and the nature and extent of the powers conferred upon the Trustees, the Legislature of the State with regard to ferries must be considered.

"By the Act of March, 1850, all persons were forbidden to keep ferries without a license, except for their own use, or of that of their families. The Courts of Sessions were empowered to establish ferries across bays, creeks, or sloughs bounding or within their respective counties, as they might deem necessary, and were authorized to issue a license to keep a public ferry to any suitable person applying therefor, for a term not to exceed one year, on the fulfillment by the applicant of certain prerequisites. They could also license and establish additional ferries within less than two miles from a regularly established ferry, when necessary for public convenience, and on notice to the proprietor of such previously established ferry. The Act further provides for the establishment of ferries on private property, for the occupation of ground at either end of the ferry, and for the publication of a notice of the application of a ferry. It also prescribes the duties and privileges of ferry-men, and provides for the rates of ferriage, revoking licenses, and for the penalties to be imposed for a refusal to transfer persons or property.

"All those provisions were of a general character, and applied to all the counties of the State. They were evidently designed to provide by general law for the establishment of ferries, for conferring the franchise in suitable cases, with proper checks and securities, and with the express reservation of the right to confer a similar franchise upon persons other than the proprietor of the first established ferry, wherever it might be deemed necessary or advantageous to the public.

"The same provisions, in substance, remain as part of the general law of this State, to the present day, except that it having been determined that under the Constitution of this State, the Courts of Sessions could not exercise the functions assigned to them by the Act, the same powers, in substance, were by the Act of 1855, vested in the Boards of Supervisors.

"On the 14th of April, 1853, an Act was passed, declaring that the second section of the Act creating and regulating public ferries should not be construed to apply to the bays of San Pablo, Suisun, San Francisco, or Monterey; and the navigation of said bays, and the transportation of freight or passengers over, across, or through the same was declared to be free and exempt from the restriction of any ferry laws then in force in the State. These provisions have been repealed, in substance, in all the succeeding ferry laws passed on the subject.

"It will not be disputed that these laws indicate and establish the settled policy of the State, with regard to public ferries; that it was intended to confer the franchise, for a limited time, on persons found to be suitable, and with certain privileges, checks, securities, and penalties provided by law; that such privileges were not to be exclusive, but other ferries could be established contiguous to any established ferry, whenever deemed necessary; and that the State was to derive a revenue from the issuing of the licenses.

"The law of 1853, and subsequent enactments to the same effect, show that the great aims of the sea therein mentioned were not regarded as fit for the establishment of any ferries whatever, but that the navigation and transportation of freight and passengers across, through, and over them were to be left free and exempt from the restriction of any ferry laws in force in this State. Such being the settled policy and law of this State with regard to public ferries, and with reference to the bays mentioned, it is not to be presumed, without the clearest evidence of a contrary intention, that the Legislature intended to confer upon the trustees of a small town on the bay of San Francisco, the power to grant an exclusive privilege to establish ferries across the most important of these bodies of water, the navigation of which was, the next year, declared free and exempt from all ferry laws.

"If the general ferry law, under which no exclusive rights could be acquired, nor license granted for more than a year, was deemed unfit to be applied to the bay of San Francisco, the inference is irresistible, that it could not have been the intention, only one year previously, to confer upon the trustees of a town an unlimited power to grant exclusive privileges, for any period, with reference to the same waters, to any individual they might choose.

"It is admitted that the law by which the power claimed was conferred, might at any time have been repealed. Had the Legislature, when, in 1853, it declared the bays mentioned to be exempt from the operation of all ferry laws, and the navigation over and across them to be free, supposed that the Trustees of Oakland were empowered to grant an exclusive right to an individual to establish ferries to the most important city of the State, they would surely not have omitted to revoke the powers and repeal the law by which they were conferred.

"The question we have been considering is purely one of construction, and even if the language of the Act were more doubtful, yet, when read by the light of the previous and immediately subsequent legislation of the State, its true interpretation would seem to be unmistakable.

"But, it is said that the power to establish a ferry imparts *'ex vi termini'*, a power to confer exclusive rights in the ferry so established; that without such rights it would not be a ferry in the legal sense of the term. But on this point the case of

Fanning *vs.* Gregoire (16 Howard, 524) is decisive. In that case Fanning claimed under a direct grant from the Legislature, authorizing him to keep a ferry at the town of Dubuque, across the Mississippi River, for the term of twenty years. This he accordingly established. Subsequently, the State conferred upon the City Council of Dubuque power to license and establish public ferries across the Mississippi; and under the power a license was granted. On a suit by Fanning against the license, it was held that his franchise was not exclusive, but that the Legislature had a right to license other ferries.

"It is clear that if a direct grant, to an individual, of authority to establish and keep a ferry at a particular place does not vest in him an exclusive franchise, the grant to a municipal corporation power to establish ferries, does not authorize them to bestow exclusive privileges. If the term 'ferry' in the grant to Fanning did not impart any exclusive franchise, it cannot have that meaning in the Act incorporating Oakland. It can surely make no difference whether the State is supposed to have duly surrendered to an individual its power of improvement and accommodation in a great and important line of public travel, or whether it is supposed to have authorized a municipal corporation to surrender it; in either case 'its abandonment ought to be presumed, when the deliberate purpose of the State to abandon it does not appear.' (I Peters, 514.)

"It is urged that, even if the town of Oakland or the State had power to license other ferries, yet the right of complainant to the exclusive enjoyment of the ferry on the particular ferry-ways established by him ought to be protected. But in the case above referred to no such distinction appears to have been taken. The right claimed was like this—an exclusive right to run a ferry from a certain town across the Mississippi for twenty years. The infringement complained of was the licensing and establishment of another from the same town, across the same river. The Court decided that the franchise claimed was not exclusive, and that the establishment of the second ferry was legal. It is nowhere suggested that the second licensee could not run his boat from any part of the town of Dubuque, and even from the same wharf as that used by the first licensee.

"The privilege attempted to be granted in this case was not the privilege of keeping and running a ferry from any specified dock or wharf in the town of Oakland to any other point across the bay. It was the right to keep and run a ferry or ferries from the town of Oakland generally to any place whatever. Whether, if the trustees had established a ferry from a certain wharf, and leased the same to an individual, his rights in such ferry would have been exclusive, it is not necessary to inquire, for the right granted was the exclusive right to run 'a ferry or ferries' from the town of Oakland to any place, with all the ferry rights, privileges, and franchises then owned or thereafter to be owned by the town.

"But admitting, for the sake of argument, not only that the trustees were empowered to establish ferries, but that the Legislature intended to confer upon them powers to grant to an individual the exclusive franchise for any period of running and keeping the ferries so established, such a construction affords an argument almost irresistible: that those powers could only have been conferred with regard to ferries wholly within the corporate limits.

"Within those limits is the creek San Antonio, which can only be crossed by bridges or boats. If, then, the power to grant a franchise in property was intended to be conferred, it is surely more reasonable, and more in accordance with every rule relating to the construction of grants of this description, to construe it as referring to ferries across waters wholly within the corporate limits, than to suppose it to extend to ferries across a bay, the navigation of which was, in less than a year afterwards, declared free and open to all.

"With reference to the streets, docks, wharves, and sewers this limitation is necessarily understood. Why not with regard to ferries, if the power to grant the franchise was intended to be given? The ferry from Oakland to this city affords the principal, if not the only means of convenient access to the commercial center and chief seaport of the State, not only to the citizens of Oakland, but to the inhabitants of a considerable district, and the possession of an exclusive franchise of running and keeping all ferries between Oakland and this city, gives to the possessor the practical control of the means of communication. Can it be supposed that the Legislature intended to give the power to grant such a right to the corporate authorities of a town situated at one terminus of the ferry, and to take away or render nugatory the rights of the county at the other terminus to license ferries across the water forming their common boundary? That this right existed in both counties, under the law of 1851, is clear. But the privileges conferred by the license under the ferry laws are limited, and not exclusive in the person obtaining the license. To suppose, then, that the power contended for was conferred upon the Trustees of Oakland, we must suppose that the power given to every county on the bay of San Francisco, between which and Oakland a ferry might be established, were revoked, and the general ferry laws on that subject repealed by implication. And this by force of the word 'make,' which we are asked first to apply to ferries, and then to construe as has been explained. It may be said that the question is not now as to the right of other counties to license ferries under the general ferry laws. This is true. But the question is, as to the exclusive right of the complainant to a ferry between Oakland and this city—as against defendants; and in construing the law under which this his alleged rights are claimed, it is of importance to show that the power to confer such rights was incompatible with the then existing laws, conferring powers over ferries to other counties, and could only have been given by repealing *pro tanto* these laws; as also that it was incompatible with subsequent laws, by which all power to establish ferries over the waters in question was taken away.

"It has not seemed to me necessary to refer on this point to the general rules relating to the construction of grants of this kind.

"It is not denied that grants of privileges, franchises, etc., are to be strictly construed, and that nothing is to be taken by intendment.

"It is claimed, however, that this is a delegation of legislative authority, and not a grant of a franchise, and that therefore a different rule must be applied. I confess myself unable to see the propriety of this distinction in the present case.

"The State is the sovereign from whom the power is derived, whether it is supposed to have granted directly to a corporation the exclusive franchise as property, as was done in the case of the city of New York, or to have granted to the corpora-



Charles O Trask

tion power to make an exclusive grant of the franchise to an individual; in either case the rules of construction must be the same. It can surely make no difference whether the corporation is the direct grantee of the franchise or the donee of a power to make a grant of it and receive the consideration.

"Many other questions were raised and argued at the hearing, which it is unnecessary to discuss.

"On the whole, I think:

"*First*.—That it is at least doubtful whether the Act incorporating the town of Oakland gave to the Trustees any other power with regard to ferries than that of regulating them.

"*Second*.—That if the power to establish ferries was conferred, such power was held by them as a public trust, to be exercised by them and their successors when the public good might require. They had, therefore, no authority to confer upon any individual the exclusive right to keep and run a ferry or ferries between Oakland and San Francisco, still less such a right with regard to ferries 'between Oakland and any other place.'

"*Third*.—That if such powers were intended to be given the Trustees, they could only have referred to ferries across waters wholly within the corporate limits of the town.

"*Fourth*.—That under any possible view of the case, the right of the complainant is doubtful; and that therefore the injunction ought not now to be granted.

In the same case, Judge McAllister delivered an opinion, and in summing up says:—

"The contract between the town of Oakland and Carpentier must be deemed a fraud upon the law and a complete evasion of its policy and object. A public trust was confined to the authorities of Oakland, to be executed by them as agents of the public. It was not in their power to denude themselves of the trust. It was not their 'common property,' and by the charter could not be sold or disposed of. It was a public trust to be exercised by them as agents of the community, which they could not discard so as to prevent their successors from establishing additional ferries required by the public convenience. By the contract they 'granted, sold, released, and conveyed' to an individual, his successors and assigns, exclusively, for the space of twenty years, the right to keep and run a public ferry or ferries, so as to demand and receive compensation therefor, between the town of Oakland and the city of San Francisco, and between 'the said town and any other place' together with all and singular, the ferry rights, privileges, and franchises which now are, or may hereafter be, held and owned by said town. By such contract the then authorities of Oakland attempted to convert a public trust to private and individual use, and to place for twenty years under the exclusive control of an individual and his assigns all, even future means of ferry communication across the navigable waters from Oakland to any other place. Such never was the intention of the Legislature. Such an Act it was not in the power of the authorities of Oakland to do, and such a transaction a Court of Equity cannot sustain.

"This tribunal could not interpose by the extraordinary process of injunction, to support rights derived from such a source; and maintain a title, which, so far from

being free from doubt, was executed under a contract in fraud of the law, under which it proposes to be executed, and to sustain restrictions over the navigable waters of this State, which the Legislature has declared shall be exempt from all such restrictions."

The case was taken on appeal to the Supreme Court of the United States, when the judgment of the Lower Courts was sustained, as will be gleaned from the following decision of Mr. Justice Nelson:—

"This is an appeal from a decree of the Circuit Court of the United States for the district of California.

"The bill was filed by the complainant in the Court below to restrain the defendants from running a ferry between the city of San Francisco and the city of Oakland, on the opposite side of the bay, and which, it is claimed, is in violation of the exclusive privileges belonging to him under the authority of law. The authority, as set forth in the bill, is derived from the charter of the town (now city) of Oakland. The third section of the charter (passed May 4, 1852) provided that 'the Board of Trustees shall have power to make such by-laws and ordinances as they may deem proper and necessary;' among other things, 'to lay out, make, open, widen, regulate, and keep in repair all streets, roads, bridges, ferries,' etc., 'wharves, docks, piers, slips,' etc., 'and to authorize the construction of the same; and with a view to facilitate the constructions of wharves and other improvements the land lying within the limits aforesaid, (that is of the corporation) between high tide and ship channel, are hereby granted and released to said town.'

"It is admitted, if the authorities of the town of Oakland possessed the power under the charter to grant an exclusive right of ferries between that place and the city of San Francisco, the complainant has become vested with it. The question in the case, therefore, is whether or not the power was conferred by this third section of the charter.

"It is a well-settled rule of construction of grants by the Legislature to corporations, whether public or private, that only such powers and rights can be exercised under them as are clearly comprehended within the words of the Act, or derived therefrom by necessary implication, regard being had to the objects of the grant. Any ambiguity or doubt arising out of the terms used by the Legislature must be resolved in favor of the public. This principle has been so often applied in the construction of corporate powers, that we need not stop to refer to authorities.

"Now, looking at the terms of the grant in this case, and giving to them their widest meaning, either separately or in the connection in which they are found, or with the object for which the power was conferred, we find, indeed, a power to establish and regulate ferries within the corporate limits of the town, but not an exclusive power. Full effect is given to the words in which the power is granted, when the simple right is conceded to establish and regulate ferries. If the grant had been made to an individual in the terms here used, the question would have been too plain for argument. In our judgment we can have no wider interpretation, though made to a corporation. It must be remembered that this is not the case where the Crown or the Legislature has aliened to a municipal corporation its whole power to establish and regulate ferries within its limits, as may be found in some of the ancient charters of cities of

England and in this country. In these cases the municipal Body in respect to this legislature or public trust, represents the sovereign power and may make grants of ferry rights in as simple a manner as the sovereign. The error, we think, in the argument for the appellant, is in confounding this grant with these ancient charters, or those of a like character. But, on referring to them, it will be seen that the form of the grant is very different—much more particular and comprehensive, leaving no doubt as to the extent of the power (*Costar vs. Brush*, 25 Wend. R. 31). So here, if the Legislature had intended to confer their whole power upon this corporation to establish and regulate ferries within its limits, or a power to grant exclusive ferry rights therein, a very different form of grant would have been used—one that would have expressed the intent of the law-maker to part with the exclusive power over the subject, and vest it in the grantee. In the form used, no such intent appears or can be reached except by a very forced interpretation, which we are not at liberty to give, according to well-settled authority (11 Pat. 422; 8 How. 569; *Mills et al. vs. St. Clair Co. et al.*, 16 id. 524; *Fanning vs. Gregoire*). In *Mills vs. St. Clair Co.* the Court speaking of a ferry grant, said that in a grant like this by the sovereign power, the rule of construction is, that if the meaning of the words be doubtful, they shall be taken most strongly against the grantee and for the government, and therefore should not be extended by implication beyond the natural and obvious meaning of the words; and if these do not support the claim, it must fall. And again, in *Fanning vs. Gregoire*, speaking on the same subject, the Court says: The exclusive right set up must be clearly expressed, or necessarily inferred, and the Court think that neither the one nor the other is found in the grant to the plaintiff nor in the circumstances connected with it.

“As the town of Oakland had no power, according to the above construction of the charter, to establish an exclusive right of ferries within its limits, it follows that it did not possess the power to confer upon others an exclusive privilege to establish them.

“The power conferred is to make (meaning to establish) and regulate ferries, or to authorize the construction (meaning the establishment) of the same.

“We think the Court below was right, and that the decree must be affirmed.”

Too much credit cannot be accorded to the late Mr. Larue for the persistency with which he fought this monster imposition, finally proving beyond a peradventure that the first or subsequent Boards of Trustees had no authority in law to grant either property or privileges belonging to the city of Oakland to individuals.

The obstruction at the mouth of San Antonio Creek continued to offer many difficulties to free communication with San Francisco, and, to push the matter, some gentlemen formed themselves into a committee for the purpose of raising subscriptions to defray expenses of dredging, etc. The sum of eleven thousand dollars was soon collected, but three thousand dollars more were wanted; therefore in August, 1859, a circular letter was issued by these gentlemen, in which they remarked: “The channel is to be thoroughly dredged, from the deep water of the bay to the San Antonio Channel, two hundred feet wide and five feet deep at extreme low tide—to be marked with piles on each side through the whole length, at a distance of forty feet from each other. The whole work is to be done, and materials furnished, for the

sum of fourteen thousand dollars, the contractor giving the most satisfactory securities for the faithful performance of the work. The United States Government has given the gratuitous use of the splendid dredging-machine which has been in use at Mare Island, and the work will be commenced as soon as the contract money is paid in to the treasurer, W. A. Bray, Esq.

W. A. BRAY,	A. L. TUBBS,	JOHN CAPERTON,
A. A. COHEN,	L. JOHNSON,	R. E. COLE.

Meeting with success, the harbor was soon cleared of its hinderances, and for a time at least something like certainty in duration of transit prevailed; while, an Act was passed in the Legislature for the improvement of San Antonio Creek, the Board of Supervisors being appointed to superintend the work. The Act also provided for plans and specifications being drawn up; stated that the county should not be responsible stockholders, but that it might purchase the work when the sum of forty thousand dollars was paid in, and directed that the privileges should expire in ten years. The scheme, however, did not result satisfactorily; therefore, in 1860, a bill was introduced in the Legislature to enable the Board of Supervisors to tax the county for the work, which duly became law. The Commissioners appointed under this enactment were James Dougherty, Alfred L. Tubbs, and W. A. Bray.

Much enthusiasm was evinced in Oakland on August 2, 1862, on the commencement of the ferry railroad, and the initial steps being taken towards the construction of the wharf, proceedings which caused an immediate advance of about fifty per cent. in the value of real estate. On September 2, 1863, the railroad ferry went into operation with the following time-table, which is produced simply as a matter of comparison between now and then:—

Leave San Francisco at 7 A. M., 9 A. M., 11 A. M., 2:30 P. M., 4:30 P. M., 6:30 P. M.
 Leave Oakland at 6 A. M., 8 A. M., 10 A. M., 1 P. M., 3:30 P. M., 5:30 P. M.

The steamer *Clinton* continued on the creek route, carrying freight and the San Antonio passengers, making five trips per day. By October, 1864, the railroad had been extended to San Antonio, and soon six daily trips between that place and San Francisco were made besides an extra "night trip" every Saturday, leaving San Antonio at 6:30 P. M., and returning from San Francisco at 11:30 P. M. In 1863 James B. Larue, A. W. Swett, and William Hayward obtained a franchise to construct a wharf in San Francisco for the accommodation of their line of steamers.

It may be mentioned that up to this time all previous efforts to place the bar at the mouth of San Antonio Creek in a good navigable condition had proved comparative failures; therefore, in January, 1864, Mr. Larue, in the name of the Oakland and San Antonio Steam Navigation Company, presented to the Board of Supervisors for their approval a scheme for dredging the bar, and keeping it clear, provided they would grant him a franchise and permit him to take toll. He argued that there was no danger of such a franchise proving a monopoly as there were two ferries communicating with Oakland and Alameda, irrespective of the creek. The proposition was subsequently approved by the Supervisors, and the project embodied in a bill, which, although it passed the Legislature, was, as the sequel has shown, very properly vetoed by the Governor.

The Oakland and San Antonio Steam Navigation Company did not prosper financially as well as its promoters expected. The California Steam Navigation Company purchased a large amount of their stock and strove to get the majority of it. The President, Mr. Larue, was forced to buy a sufficient amount to control the whole business, or allow the scheme to fail; in doing so he became largely involved. The steamers were sold to the Oakland and San Francisco Railroad and Ferry line, but the great desideratum of cheap rates was established in the place of most exorbitant demands. In March, 1865, the Contra Costa or Minturn ferry line of steamers, consisting of the *Contra Costa* and *Clinton* were sold to the San Francisco and Oakland Railroad Company, who continued the service.

Under date September 28, 1867, the City Records show that Mr. Moody offered the following resolution:—

WHEREAS, The population of the city of Oakland and vicinity being wholly made up of the families of those who do business in San Francisco, and of those who, not having business in San Francisco, are sustained by the business created here by those who daily cross the bay, and the Oakland Ferry and Railroad being the only means by which this large population can travel between their homes and places of business; and

WHEREAS, It being only by the extension of proper facilities, in frequency, regularity, speed, and safety of transit, combined with comfort upon the boats and convenience of stations upon the road, that homes here may become desirable and property valuable; and

WHEREAS, The facilities for transit afforded by the Oakland Ferry and Railroad not having been such as to give entire satisfaction to the community, and satisfaction and confidence being indispensable to our prosperity,

Resolved, That this matter be referred to a special Committee to devise ways and means to obtain more satisfactory ferry facilities between Oakland and San Francisco, wherein the community can have some voice or guarantee for the facilities afforded; and that said Committee be instructed to consider and report with the view of obtaining Legislative aid if necessary.

On October 28, 1869, notice was given at Sacramento that the Western Pacific and San Francisco and Bay Railroad Companies, the latter of which had been in existence only a short time, had amalgamated and consolidated into a new company, and on the 1st November the Western Pacific took formal possession of the Oakland Ferry, the rates for commutation tickets being then established at three dollars per month, and hourly trips introduced. On May 1, 1871, the trips were increased from twelve to fourteen in number, and on the 30th of the same month the passenger-shed was opened.

March 16, 1868, a special meeting of the City Council was convened to take action in regard to a bill introduced in the Legislature granting a franchise to certain persons for cutting a channel through the bar at the mouth of San Antonio Creek, when Mr. Barstow introduced the following resolutions, which were unanimously agreed to:—

WHEREAS, It is reported in the newspapers that a bill has been introduced into the Assembly to grant to certain persons the right to improve the navigation of San Antonio Creek and to collect tolls at the rate of five cents per ton on all vessels navigating said creek; and

WHEREAS, The county of Alameda has expended the sum of forty thousand dollars and upwards in cribbing and dredging the bar at the mouth of said creek, thereby rendering the same passable for all vessels which are suited to the depth of water in the channel of said creek, except at the lowest stages of the tide, and affording all the facilities for navigating said creek which the demands of commerce will require for some time to come; and

WHEREAS, There has been no public demand on the part of the citizens of the county for the passage of any such bill or the granting of any such exclusive privileges, and said bill has been prepared in the interests of private parties, without reference to the public wants or the public good; therefore,

Resolved, That we regard the granting of a franchise to collect tolls on vessels navigating San Antonio Creek, as a measure highly detrimental to the interests of our city and of the county as well.

Resolved, That there is no present necessity for the improvements contemplated by said bill, and that when such necessity shall arise it will be for the public interests that such improvements be made at the public expense, and the navigation of the creek remain free to the public.

Resolved, That the clerk send a copy of these resolutions to each member of the Alameda delegation in the Legislature.

Subsequently steps were taken to effect the dredging necessary, and on September 16, 1873, the bid of Ball & Weatherby was accepted by the Council and the work proceeded with. On January 19, 1874, Mr. Warner presented a communication from his Honor, the Mayor, transmitting the preamble and resolution of the Board of Trustees of the town of San Leandro, petitioning Congress to make an appropriation for the construction of a ship channel from the bay of San Francisco, along the southerly line of the city of Oakland, and connecting with San Leandro Bay, which was received. Mr. Spaulding then presented the following preamble and resolution:

CITY COUNCIL CHAMBER,
CITY HALL, OAKLAND, January 19, 1874. }

The Common Council of the city of Oakland, duly convened for official business this 19th day of January, A. D. 1874, the president and all the members being present, on motion of Councilman Spaulding, seconded by Councilman Warner, it is resolved to memorialize the honorable Congress of the United States upon the importance of improving the harbor of Oakland for commercial purposes, and for the reasons which the following recital of facts will show:

First.—The commerce of the United States in traffic and travel, as connected with the Pacific Coast and the great Continental roads, is now and has been for several years carried on over the water front of the city of Oakland in the State of California.

Second.—That while this commercial business is rapidly increasing, it had already attained, in 1872 and 1873, the aggregate of four hundred and fifty thousand tons of general freight, and in the year ending July 1, 1873, no less than one hundred and ten ships were loaded at the Oakland Wharf with California wheat, amounting to one hundred and sixty-one thousand tons, to be distributed to the markets of the world.

Third.—The transit of passengers from Asiatic and other foreign ports, from San Francisco and from the cities east of the Rocky Mountains, arriving and departing at Oakland by the great overland railroads, amounted to an aggregate of sixty-seven thousand souls for the year ending January 31, 1873. The local travel by ferry-boat between Oakland and San Francisco shows a rapid yearly increase and now requires the constant use of half-hourly boats and trains, carrying a daily average of five thousand persons, equal to a yearly total of nearly two million passengers. During the year 1873 the treasure from all sources in the interior of the State of California, and from the Nevada mines reaching the Oakland dock, amounted to no less than thirty-one millions of dollars in value. The two staples of the Pacific Slope, wheat and bullion, find readiest access to deep water upon the Oakland water front. The location of the city of Oakland relative to the range of mountains known as the Coast Range of California, and the great bay of San Francisco, is such as to make the Oakland water front the nearest practicable railroad approach to deep water in the bay, alike adjacent to the city of San Francisco and the Pacific Ocean. And

WHEREAS, The present wharf, although erected by the railroad companies at a cost of nearly one million of dollars, can only be regarded as a temporary structure, entirely inadequate to the present and prospective demands of commerce. Now, therefore, be it

Resolved, That the City Council of the city of Oakland, California, do hereby most respectfully call the attention of Congress to the above plain recital of facts, and ask that a suitable appropriation may be made for the improvement of the estuary of San Antonio, the harbor of Oakland, in accordance with such plans as may be recommended or considered expedient by the Board of Engineers for the Pacific Coast and the Chief of Engineers of the United States Army.

In the same month, January 12th, the Board of Supervisors adopted a memorial to the Senate and House of Representatives of the United States Congress, couched in similar language, the result of these being that appropriations were, and are being,

made to perfect the contemplated improvement. On February 28, 1876, the Mayor informs the Council in this regard: "It affords me great pleasure to be able to announce that the improvements of the Oakland Harbor by the United States Government have been progressing rapidly and with gratifying results. From the engineer in charge I learn that the work of constructing the channel training-walls has advanced satisfactorily and with few interruptions. Each of the two walls have now reached a respective length of nine thousand feet, linear, consuming collectively about ninety-five thousand tons of stone, and their further extension still progressing. The recent heavy weather has set at rest the disputed question as to their stability, and their anticipated settlement has been so small a per cent. that the funds at the disposal of the Board will accomplish an amount of work beyond the most sanguine expectation. The effect of the building of the said walls has been to increase the tidal current to such an extent as to scour out the channel on the bar to a present depth of eight feet, at United States Coast Survey, mean low water, and it is continually increasing. Vessels drawing six feet of water and piloted by suitable men, can, at the present day, go and return through this channel at all stages of the tide, without danger.

"In regard to future operations I am informed that a channel two hundred feet in width and twelve feet deep at low water is to be dredged, and work will be commenced very shortly. Should our representative in Congress have reasonable success, within one year from this date Oakland will enjoy shipping advantages far beyond all present expectations.

"Merchant vessels of three hundred tons and four hundred tons registered burthen, drawing sixteen feet of water, will be able to receive and discharge cargoes along the present city front, even during ordinary tide. These facilities must necessarily give rise in the immediate future to a commercial prosperity of paramount importance to our city and county."

It is only necessary to say that these improvements are being still carried out with eminent success, and the day is not far distant when Oakland will possess commercial advantages in respect to her harbor second to no other port on the Pacific Coast.

In regard to the ferries we shall simply observe that no better service exists anywhere. The building of the mole and new depot by the Central Pacific Railroad have added materially to the comfort of passengers on the main local line, while the creek route has its fair share of patronage; add to these the boon conferred by the South Pacific Coast Railroad Company and their excellent line of ferry-boats which, landing on the Alameda side of the San Antonio Creek, transfer their passengers by a local line over Webster-street Bridge into the heart of the city, and we have the *summum summarum* of comfortable travel.

In times past several steamers have been used on the creek route. One of these, the *Express*, is said to be laid up in Napa Creek, dismantled and fast rotting to pieces. She was run by Wingate, and made trips from San Francisco to Oakland and Brooklyn. Oaklanders of some ten years back will recall the *Chin-du-Wan*, another stern-wheeler of small capacity, which was on the creek route in opposition to the regular ferry and to two small side-wheelers, the *Louise* and another, run by the Central

Pacific Railroad, all three making their landings at the old tumble-down wharf at the foot of Broadway. The *Chin-du-Wan* carried passengers across for ten cents, and had a horrible instrument of torture, called a calliope, which went by steam and was played upon by turning a crank. This cross between a hand-organ and a steam-whistle went with forty thousand fog-horn power, and went at all hours of the day and night. Its services were popularly supposed to be efficacious against the "bloated monopoly," much as a Chinese tom-tom makes against the devil's machinations. It was exhilarating to view the brave spectacle of the *Chin-du-Wan*, loaded down to the guards with passengers, move out from the wharf, its automatic brass band playing its one tune, whose *pianissimos*, even, smote upon the ear at a distance of five miles, and whose "ffu" aroused the dogs of two whole townships. At such times the *Louise* or her consort would creep forth from her berth with usually not enough of passengers to keep her captain from nearly dying of loneliness. One paid five cents to cross on the *Louise*. The rivals invariably raced, and the *Chin-du-Wan* invariably got left. To be beat never troubled the calliope voice, and, though distanced, the discordant hobgoblin always played its song of triumph. After a while the *Chin-du-Wan* was put on the Stockton route, and the people of the city of the tules cannot have forgotten their sensations when the calliope gave forth its notes on the vessel's first arrival in the slough, at two o'clock in the morning. The sleep-destroying monster never became popular in that town, perhaps because of a too close trenching upon the religious scruples in favor of Gabriel and his trumpet.

The *S. M. Whipple*, also a stern-wheeler, did service on the creek route for a while, and received as a legacy the calliope. But the novelty of the thing was gone, and the machine came to be regarded as a nuisance; as indeed it was.

Let us now conclude the official acts of the Board of Trustees during the year 1852. On May 12th of that year an ordinance No. 1, was passed, fixing the time and place of holding their stated meetings; on May 26th, Ordinance No. 4, providing for the protection of oyster-beds within the corporate limits, and Ordinance No. 5, prohibiting the taking of oysters at certain seasons, were passed, thus early establishing a proper care for the luscious bivalve.

1853.—The first subject to which we will turn our attention in the year 1853 is that which comes under the head of the city, its streets, bridges, public highways, plazas, and such like. We have not the space to devote to the intricate action taken on the opening of each thoroughfare throughout the city; indeed such is unnecessary; it has therefore been thought that only the salient points in regard thereto should be mentioned.

On January 29, 1853, an ordinance was passed, consequent upon a petition received from the citizens, that all shade-trees should be protected under the fostering care of the Town Trustees; and on August 27th the stumps remaining on Broadway, after its being laid out as a thoroughfare, were directed to be removed; while on December 24th the road, as surveyed and located, one hundred feet wide and running from Broadway to Cerito and known as the "County Road," was declared to be a municipal highway to be called "Contra Costa Avenue."

Let us for a moment take a retrograde step and inform the reader of the manner



A. W. Bishop.

in which the town of Oakland was started. While Carpentier was at work perfecting his water-front scheme, other parties were in negotiations with Vicente Peralta for the purchase of the ground on which the town is built. The transaction was completed March 3, 1852, and the property deeded by Peralta and his wife to John Clar, B. de la Barra, J. R. Irving, Col. John C. Hays, John Caperton, and Jacob A. Cost for the absurdly small sum of ten thousand dollars. The first named being the one with whom the contract was made, the others afterwards becoming interested in the property with him, a deed of partition was duly executed in August, 1853, setting off their respective portions to each, at the same time making an equal division of the town plot, within the limits surveyed earlier in the year by Julius Kellersberger. The original town is described as being within the south line of Fourteenth Street, and east of a line running parallel with and distant three hundred feet westerly from West Street, dividing the property into blocks of the uniform size of two hundred by three hundred feet, with streets eighty feet wide, excepting only Main Street, now Broadway, which is one hundred and ten feet wide. Six blocks of land were reserved for public squares. An extension of the streets was subsequently made to the northward and westward, at right angles with each other, from the line of high-tide on San Antonio Creek, those running north extending two hundred feet northerly of what is described as "the northern line of Thirteenth Street;" and those running westerly, from what was designated on the map as the westerly line of West Street.

On January 9, 1854, an ordinance providing for the better protection of shade-trees was passed; while on the same date an enactment was made whereby the bridge (a history of which will be found in the Legislative History, in the first part of this work) in the town of Oakland should be exempt from taxation.

By the Act entitled "An Act to Incorporate the City of Oakland," approved March 25, 1854, the town of Oakland ceased to be, and she was distinguished by civic honors. The boundaries were declared to be: "Northerly, by a straight line drawn at right angles with Broadway, formerly Main Street, in said city, crossing the extended line of Broadway three hundred and sixty rods northerly from where stood the 'Oakland House,' on the northwest corner of Broadway and First Streets, and running from the bay of San Francisco, on the west, to the easterly or southeasterly line of that branch of the San Antonio Slough, or estuary, over which crosses the bridge from Oakland to Clinton; thence along the eastern and southern highest-tide line of said slough, and of the estuary of San Antonio, following all the meanderings thereof to the mouth of said estuary, in the bay of San Francisco; thence southwesterly to ship channel; thence northerly along the line of ship channel to a point where the same intersects the said northerly boundary line extending westerly: *provided*, that nothing in this section contained shall be so construed as to prohibit or abridge the right of the Trustees of the town of Clinton and San Antonio, whenever the citizens thereof may elect to become a body corporate, under the provisions of any Act which may hereafter be passed, to provide for the construction of wharves and other improvements for the accommodation and convenience of the trade, travel, and commerce of the said towns or villages, at their respective sites." On April 29, 1854, Mayor Carpentier addressed to the City Council his first message. After stating to them that they have been called upon by the people of Oakland to conduct its municipal government, at a

time, he says, "perhaps the most important and decisive in its whole history," he continues: "You find yourselves, on one hand, clothed with extraordinary powers, and on the other, confined within the narrowest limits, under a charter singularly careless in its provisions, and which affords but a doubtful security to the rights of property of citizens—a charter the errors of which, it is to be hoped, the more mature deliberation of the present, or the wisdom of a succeeding, Legislature will duly correct.

"Aware of the efforts being made by the enemies of the town to lessen its resources and prostrate some of its most important interests, the people have elected you with a flattering unanimity to watch over their common interests during the ensuing year. And in taking office at such a period, you have assumed a responsible trust which I feel assured you will discharge both with credit to yourselves and advantage to the city. Under these circumstances I have thought proper to call your attention to such matters as I deem of present importance, and to recommend certain interests to your favorable consideration." He further states: "It is gratifying to witness the healthy vigor with which a number of villages are springing up around us. Between these and Oakland there can be no rivalry, and should be no jealousy. Our interests are common and identical, and after a short time will probably be united under one corporation.

"The chief ornament and attraction of this city consists doubtless in the magnificent grove of evergreen oaks which covers its site, and from which it takes both its former name of 'Encinal' and its present one of 'Oakland.' Their preservation ought to be with you, as it shall be with me, a subject of peculiar care. In fact, the destruction of a single tree, on whose land soever it stands, should be considered a public injury. I recommend the passage of an ordinance for the protection of shade-trees, under the heaviest penalties authorized by the charter.

"There is no other city in California that can boast so wide and regular streets, or so numerous and beautiful parks as ours. The substantial and ornamental fence around Washington Square affords a gratifying evidence of correct taste, and I recommend that others of the public squares be inclosed and embellished at as early a day as the finances of the city will permit.

"In the opening of new streets, as from time to time this may become necessary, to meet the wants of our rapidly increasing population, it will, I think, be best to follow the plans of the old ones, both as to the width and direction, so that the city may not lose in this respect her invaluable characteristics of regularity and beauty. No city on earth has a more perfect grade than that which is natural to Oakland—a gentle slope from the center towards the waters of the bay—which almost surrounds it. The soil, too, is of so porous a quality as to afford sufficient drainage and entirely obviate the necessity for artificial drains and sewers. Here, then, in the items of grading, paving, drainage, and sewerage we have an immense saving of expenses, which are incident to most other cities, and which in San Francisco cost in some instances full fifty per cent. upon the value of property."

June 24, 1854, the Marshal was directed to clear Broadway of filth; and Mr. Kellersberger was ordered to run out Fourth, Seventh, Eighth, and Fourteenth Streets at right angles with the pre-emption claim of Mr. Hardy, and to mark the line.

About this time it was attempted, by ordinance, to vary the original plan of Oakland as regards its streets, which, had such been permitted, would have done much to make what is a beautiful city hideous in its outlines, therefore, on July 13th, the Mayor vetoed the ordinance and gave his reasons for so doing in the following able communication to the Council: "‘An Ordinance concerning streets’ is herewith returned without my approval. This ordinance provides that the streets running in an easterly and westerly direction shall be crooked from their course at acute and obtuse angles to coincide with certain private boundary lines which have neither certainty nor legal existence, and that a portion of the streets running northerly and southerly shall cut others which have the same general direction obliquely.

"The original plan of the city of Oakland is well calculated, if carried out, to make this the most regular and beautiful city on the Pacific Coast. The advantage to the city to be gained by a change in that plan, such as is proposed by the ordinance herewith returned, I am wholly unable to see, whilst the disadvantage that would result from it are to my mind clearly apparent.

"Acute and obtuse angles in a city are opposed alike to beauty and convenience, and a careful examination of the map of the city of Oakland will show that a system of straight, uniform, and rectangular streets following out the plan and direction of those that have heretofore been opened would be best calculated to avoid waste of land and to promote public convenience. Instead of the magnificent vistas which a system of straight and rectangular streets would afford, looking out in every direction upon the craters of the bay or the mountains, by crooking them the view on all sides will be intercepted by buildings.

"Another serious objection to crooking the streets in the manner proposed is that the winds which prevail in this latitude nearly the whole year would sweep directly up through them without any check or obstacle, whereas, if the streets be continued straight in conformity to the present plan, the winds, striking them obliquely, will be broken and arrested by the buildings.

"The objections urged by those friendly to the passage of this ordinance against the straight streets—that they would, in some instances, divide private land claims into fractional blocks—is without weight and deserves but little consideration. Streets are laid out for the public convenience, and in the opening of public streets and highways the common good is mainly to be consulted and not private interests. Not that private interests should be disregarded or made to suffer unnecessarily. Our laws do not permit the property of individuals to be taken for public uses without remuneration. Whatever losses may be sustained by the claimants through whose lands new streets are opened, should, I think, be paid at a fair valuation out of the city treasury.

"It is with reluctance that I withhold my approval on grounds of policy alone from an ordinance which has been passed deliberately by the City Council after a full discussion of its merits. It interests the people of Oakland perhaps but little at present, how, or where the streets are opened. But as we are now laying the foundation, as it were, of a town which we may reasonably anticipate will, with a steady growth, become a great commercial city, with a population to be numbered by hundreds of thousands, to proceed correctly is important, and, as I am convinced that

the continuation of our streets in direct lines from their respective termini to the waters of the bay would be the best plan that could be pursued and calculated in so small degree to preserve the beauty and promote the prosperity of the city, I am constrained to return the ordinance for your reconsideration." Notwithstanding the apparently very proper veto the ordinance was passed by the Council, with the following vote: Ayes - Aldermen Eames, Josselyn, Kelsey, and Gallagher. Noes - Aldermen Blake and Marier.

On November 6, 1854, directions were issued for the survey of Eighth Street, from Market Street to the bay, and of Market Street from San Antonio Creek to the city limits.

A writer in December, 1854, in speaking of the city and its appearance, says: Oakland, located within thirty minutes' sail of and directly opposite the great emporium of the State, blessed with a most salubrious climate and unsurpassed in its natural adornments, became at an early day an object of interest to speculators. Had these speculators been half as judicious in the management of their interests in the town as they were in selecting its location, a majority of its blocks would have been occupied at present with handsome edifices, surrounded with flowers and ornamental shrubbery; its population would have been industrious, intelligent, and virtuous. And Oakland, screened from the cold winds by its removal from the coast and its embowering evergreens, would have been the most attractive place upon the Pacific. But how different is the reality! Turn which way you will, and comparatively few respectable dwellings meet the view—but instead, miserable dwellings meet the view—miserable redwood shanties—and these generally vacant. Some blocks, perhaps, you will find inclosed by what are termed 'jumper fences' (a class of fence never known until recently), consisting of a single redwood rail—so thin, irregular, and cracked that all lawful and respectable fences would disown it—tacked upon two sticks with burnt nails stolen from the embers of the last great fire in San Francisco. But the most of these fences have been torn down by the passing wind or passing traveler, and have wholly disappeared from the premises or been broken by the wayside, surpassed alone by the worthlessness of the characters of those who erected them. Oakland, to-day, notwithstanding all her natural advantages, seems really to be in a state of decline." What a contrast is this picture compared with that of the Oakland of 1883!

On April 25, 1855, the City Council petitioned the Board of Supervisors to have the bridge over Indian Creek (a small stream that runs into the eastern side of Lake Merritt) described as being situated between Oakland and the town of Clinton, declared free; while, on January 16, 1856, a resolution was passed recommending residents and owners of lots of land bounding Broadway to plant trees in front of the same at a uniform distance of twelve feet from the line of the street. On the 6th April of the last-mentioned year Mayor Robinson, in his message, says: "The toll-bridge across the north arm of the San Antonio Creek (Twelfth-street Bridge) is another great obstacle to the growth of our city. It is located upon one of the principal thoroughfares in our county, and several expensive and important bridges have been more recently erected at the expense of the county, upon the same highway. At the time the present owners of the bridge undertook to complete it under a contract made with the county, and which was afterwards approved and adopted by the

town of Oakland, the county was in its infancy and not in a condition to make an appropriation for such purposes, but, now, all the most necessary bridges are completed, and the finances of our county are in as flourishing a condition as those of any other county in the State, and she should carry out her plan of using her revenue in making internal improvements by purchasing and making free the only obstruction to the travel on this great highway leading from Oakland to San José. The heavy debt already resting upon our city will not warrant you making any appropriation therefor; if it were otherwise, and our treasury full, we would still have the right as tax-payers to call upon the county to expend some portion of her revenue in the township of Oakland. This township pays more taxes than any other in the county, and as yet has had none of its revenue appropriated for her benefit, except some two or three hundred dollars for bridges in the valley. The united efforts of the authorities of the city and the citizens of Oakland generally, would, I am confident, secure successful action of the Board of Supervisors of the county in this matter, and the cry of 'toll-bridge' that has been so long ringing in our ears will be heard no more." No action would appear, however, to have been taken on the prayer of the Council, by the Supervisors, for we find the succeeding Mayor, Mr. Williams, dealing with the subject in a communication to the Council in these words: "Another incubus on the prosperity of this city is the toll-bridge to Brooklyn across the northern arm of the San Antonio Creek. The importance to us of an untrammelled intercommunication with the surrounding country is incalculable. The already great and rapidly increasing amount of travel from the range of mountains southeast from us, and from the great Santa Clara Valley—a valley which, in an extent of sixty miles in length by ten to twelve in breadth, is capable of more agricultural production than the whole State of Massachusetts, or of many other States of the Union, and a large proportion of whose products for a distance of fifty miles, from the rich alluvial bottom-lands of San Pablo on the north to the fertile valley of San José on the south, seek a market in San Francisco from this side of the bay—and the great accommodation of an embarcadero at our wharves, present a strong argument for offering every facility in our power to our neighbors, whose ranchos are in our vicinity, to make this a viaduct to the metropolis, for the production of the ranchos within thirty miles around.

"It will promote and increase our daily and hourly business and social intercourse with our neighbors and the inhabitants of the whole country round about us; bring down to our markets the flocks and herds from the mountains, and the agricultural products of the valleys; fill our hotels and boarding-houses with the traveling public, increase the trade of our merchants, afford employment to our mechanics and artisans, and in a short time the whole face of our community will be changed from inactivity and want of employment to industrial activity and life. Your now tenantless houses will become habited by an industrious population; the lowness of rents and cheapness of living will invite an honest and thrifty population instead of dullness and inactivity; your streets will teem with animation and life, and the whole face of this city be changed. All this business and travel which would seek our city, were the passage over that bridge free, is now turned aside and stopped at other and sometimes inconvenient points, and, while the public is incommoded our city is impoverished. The tolls now demanded and paid for passing the bridge, varying from

twenty-five cents to one dollar and upwards, form no inconsiderable cash item to the farmer and others whose wants or inclinations require them to pass it daily, and sometimes several times a day throughout the year, and when they have well-founded doubts of the legality of the exaction it becomes still more onerous and objectionable, for the public sentiment throughout the land is anti-monopoly. The spirit of the age is for freedom from restrictions and shackles of every kind consistent with individual rights and the laws of the land. It is a spirit eminently American—promotion on the one hand of enterprise and industry, individual success and national advancement; while, on the other, every obstacle to the free business and social intercourse of society withers the fresh budding of enterprise, palsies the strong arm of industry, and hampers and manacles the free exercise of the highest and noblest powers, both mental and physical, of man. It is the free intercourse between the distant portions of this vast country by means of railroads, bridges, steamers, clip-pers, and lightning telegraph which has brought us together as neighbors, promoted our prosperity, strengthened the national arm, and bound us together with bonds of iron.

"You have a strong incentive for your exertions to procure a free bridge in the noble stand taken by the Honorable the Board of Supervisors of this county at their recent session at San Leandro—the county seat. The Supervisors are fresh from the people, represent every town in the county, are supposed to faithfully reflect the public wants and wishes, are themselves a body of great intelligence and gentlemen of varied and extensive business experience, and their almost unanimous action is deserving of your full approbation. Your zealous and hearty co-operation, therefore, with the Board of Supervisors in making a free bridge either by purchase of individual interests in the present bridge, or the construction of a new one, will receive the cordial approval of your constituents, carry out the public sentiment, and respond to the wishes and feelings of the entire community." Here the matter did not rest. This action, so important to the prosperity of the city, was strenuously urged, and a special appropriation for the construction of a bridge between Oakland and Brooklyn was strongly recommended. The Board of Supervisors had, with praiseworthy liberality, appropriated six thousand dollars of the county's funds for that object, and it was thought that the requisite balance could be easily supplied by private subscription and a vote from the Council.

By decree of the Council under date May 11, 1859, the public square bounded by Fourth and Fifth Streets and Broadway and Washington Streets was given the name of Washington Square; and that bounded by Fourth and Fifth Streets, and Broadway and Franklin Streets, was to be hereafter known as Franklin Square. It may be mentioned here *en passant*, that on the former of these is located the Court House, and on the latter the Hall of Records, both having been ceded to the county in consideration of the county seat being located in Oakland. May 25th Washington Square was leased by the city to the Alameda Agricultural Society, and on June 8th the City Marshal was directed to remove the wooden building occupied by Mr. Stuart, daguerreotypist, on Second Street near Broadway, as well as all stands, booths, tables, etc., erected on the public streets, sidewalks, and squares. In his message of March 28, 1860, Mayor Davis suggested the advisability of extending Seventh or Eighth

Street to the shore of the bay, and of Adeline Street to the northerly limits of the city, as matters of great public convenience. On August 27, 1862, the names of West Second, West Fourth, West Sixth, West Eighth, West Tenth, West Twelfth, West Fourteenth, West Sixteenth, West Eighteenth, West Twentieth, and West Twenty-second were given to the streets at right angles with and west of Market Street, and running to the "wire fence."

Of the thoroughfares in the city Mayor Bovee, in his message to the Council of March 12, 1863, remarks: "One of the questions which has afforded to the corporation more trouble than any other is that of its streets, and although the new charter passed at the last session of the Legislature was designed to remedy the evils known to exist, yet some portions of it are so awkwardly drawn as to still leave great inconvenience and perplexity in dealing with the subject. Section fifty-seven of the Act referred to (Session Laws, 1862, p. 354) provides that notice of the application for opening streets shall be given to owners or applicants of the land through which the proposed street is to pass. In many cases, particularly where the property through which the street is to pass is unimproved, there are no occupants, and the owners cannot be found, and thereby the entire law is rendered inoperative. Would it not be well to seek such amendment as will provide for service of notice in the case referred to, by publications or placing notice upon the property? And another objection to the present law is that the person petitioning cannot make any claim for the damage he may sustain by the opening of the street petitioned for. Now, as the Council can act only on petition, this enactment operates in many cases to delay much-needed improvements and deters parties interested from seeking them, because the cost may individually be more than the benefit to be derived. The subject of affording just compensation to parties whose property may be taken for public improvements has been at all times one of great perplexity, but I doubt not your wisdom will enable you to devise a mode of settling this difficulty. I would suggest, also, that such amendment be obtained to our charter as will provide for an equitable plan of assessing the damage of opening streets upon the property benefited thereby, instead of as at present making such damage in effect a general charge on all the property of the city, by paying them from the General Fund. The present Act (Section fifty-seven) provides that parties aggrieved by the action of the Council respecting the amounts of damages allowed them shall have the right to appeal to the County Court, and also the right to appeal from the decision of the County Court. I would suggest that the Legislature be asked to amend this section so as to provide that such appeal shall not in any manner delay the opening or laying out of the proposed streets, but that the appeal shall be deemed to be only on the question of the sufficiency of damages awarded. The above, and all other amendments you may deem desirable, should be presented to the attention of our Legislative delegation as soon as practicable, to insure their passage at the present session.

"Some time since the Council adopted a map by Mr. Whitcher as the official map of the streets of the city, the western boundary being Market Street. Since that time a plan of streets has been laid out extending from Market Street to a line heretofore known as the 'wire fence,' and now named Center Street, of which addition no map has yet been printed. As the city is now rapidly extending beyond the last-

mentioned line, and as in all probability but a few years will elapse before all the property in that portion of the city will be built upon or otherwise improved, I would suggest that much trouble may be avoided by adopting a uniform system of streets extending to the bay of San Francisco, and that this be done before parties now improving lands in that neighborhood adopt particular thoroughfares. After improvements are once made and private routes of travel laid out, the damage of opening public streets is in many cases much enhanced. The first clause of Section fifty-seven of the charter looks to such action on the part of your Body."

On April 24, 1864, the City Council determined to macadamize Broadway, and on May 24th,

Resolved, That it is the intention of this Council to order the following street work, viz.: That all that portion of Broadway Street, forty feet in width, that is to say, that portion lying twenty feet on each side of the center line of said street, and extending from Broadway Wharf to the north line of Fourteenth Street, be macadamized upon the established grade of said street, with rock from the quarry of H. M. Whitmore, near this city, or with rock of the same quality, broken into pieces not exceeding two inches square, and laid at a depth of six inches, said work to be done under the direction and supervision and to the satisfaction of the City Marshal.

The Council at the same time resolving that such work would not be proceeded with without consulting property-owners. The contract was awarded, August 6th, for the portion from Fifth to Fourteenth Street, to A. W. Hawkett, the price being five and one-half cents per square foot, in gold or silver coin, or fifteen cents in legal-tender notes. On November 10th the portion lying between Fourth and Tenth Streets was let to the same person.

On July 26, 1864, the following preamble and resolution were offered and laid upon the table:—

WHEREAS, It is desirable for all cities to have large parks, which greatly promote the health and the enjoyment of the inhabitants and offer an inducement to settle in and to visit such cities; and

WHEREAS, Only one large and well-wooded tract, at present known as the "Huckle Tract," is left vacant in the city of Oakland, offering a site admirably adapted for the laying out of a park; and considering that the entire city will be much benefited by the possession of a fine park,

Resolved, That a committee of two be appointed by the Chair to ascertain on what terms the city could purchase the tract of land bounded by Market, West Sixth, McClellan, and West Fourteenth Streets, with a perfect title thereto.

So far nothing has been done towards obtaining a public park for the city, but this need has been effectually met by the establishment of such grounds as Badger's and other like places in and within easy access of the city; but perhaps no more suitable location for such could be found than that of Adams' Point, jutting into Lake Merritt.

On October 25, 1864, an ordinance was passed directing the widening of sidewalks on Broadway to twenty feet. It is curious, at this date, to notice who the petitioners were that presented this prayer, and how much property they represented: F. Delger, ten lots; J. E. Whitchee, three lots; C. Rooney, two lots; F. K. Shattuck & Co., nine lots; James J. Cadogan, two lots; I. Herzog, one lot; B. F. Ferris, five lots; P. Hayes, one lot; A. D. Eames, two lots; Edson Adams, twelve lots; S. B. McKee, two lots; Joseph Becht, four lots; S. Hirshberg, one lot; R. Heyman, one lot; Louis Meyer, three lots; Dr. de Taval, two lots; Frank Dufit — lots; W. S. Hurlburt, eight lots; W. W. McKenzie, two lots; James Brown, four lots; S. H. Robinson, one lot;



Andrew Jones

S. Harris, five lots; First Presbyterian Church, eight lots; H. Jahn, four lots; Geo. H. Fogg, seven lots; F. Figel, eleven lots; C. Reier, three lots; T. Manl. Valde, four lots; Joseph Mayers, two lots; Thomas Mahoney, two lots; A. Anderson, two lots; Thomas Dombrowski, two lots; E. P. Sanford, four lots. September 26, 1865, sidewalks were ordered for the following streets: Fourth Street, from Oak to Jefferson Street; Sixth Street, from Oak to Grove Street; Eighth Street, from Oak to Castro Street; Tenth Street, from Oak to Jefferson Street; and, on October 3d, Seventh Street, from Broadway to Washington Street. January 16, 1866, the initial point of all surveys of the city was directed to be in accordance with the following resolution:—

WHEREAS, It is shown that the building known as "A la Mariposa," situated at the southwest corner of Fourth Street and Broadway, is located in conformity with the original plan of the city by Julius Kellersberger;

Resolved, That the face of said building at the corner above mentioned be, and hereby is, established as the initial point for measure, and that all property be located by the City Engineer according to the said Kellersberger's plan.

On July 18, 1866, the first sewer in the city was ordered to be constructed between Fourth Street and the water front on Broadway; but this subject will be treated separately further on. December 19th of the same year the name of McClellan Street was changed to Linden Street; and on December 21st Twelfth Street was ordered to be macadamized from Broadway to the Oakland bridge. On February 22, 1867, an appropriation of three thousand dollars for lighting streets for the year 1867-8 was made; while, on May 25th, Mr. Little, a resident of Oakland, made a formal tender to the city of that part of Webster Street opened north of Seventeenth Street, through the old cemetery to the San Antonio Creek, eighty feet wide, a grant which, on motion of Mr. Barstow, was accepted by the Council.

Mayor Crane, in his message of September 28, 1867, says on the subject of streets, etc.: "As you are well aware, the Act touching street improvements, passed April 4, 1864, prohibits the Council from subjecting the city to any expense in the shape of compensation for opening new streets, I would suggest that the time has now arrived when this restriction can with safety be removed and that the incoming Legislature should be asked to confer upon the Council the power of awarding compensation; or, if it is deemed inexpedient, to ask for the power generally, to request it with reference to the opening of some centrally located street between Broadway and the Point. First Street has thus far proved to be of little or no practical benefit to the city at large. Our increased population imperatively demands a thoroughfare more conveniently situated. In my opinion, Eighth or Twelfth Streets should be opened through to the Point, and I do not believe that the city would be subjected to any very serious expense, as the benefits accruing to adjoining proprietors would, in most cases, overbalance the damages awarded. If this suggestion meets the views of the Council, it is advisable to have the proper bill prepared at an early date so as to present it to the Legislature as soon as it convenes in December."

On December 21, 1867, Tenth Street, from Broadway to Market Street, was ordered to be macadamized; while, March 28, 1868, similar work was directed on Eighth Street from Oak to Market Street. Like improvements were ordered, June 12th, on Fourteenth Street from Broadway to Market Street; and, on the 22d, on Washington Street from First to Eighth Street, and on Market Street, from Four-

teenth to First Street. On the 12th October, Adeline Street was directed to be macadamized.

In his message to the Council, dated March 15, 1869, Doctor Merritt, then Mayor, states: "Within the limits of the city surveyed into blocks and streets by Kellersberger, seven blocks were set apart for public squares, and as such have been dedicated to public use. They are named as follows: Lafayette, Jefferson, Washington, Franklin, Oakland, Madison, and Caroline Squares. Having been informed that some question existed as to the validity of the city's title to these squares, with the approval of the members of the Council, I had five of them inclosed with a good, substantial picket fence. The whole cost of inclosing these five plazas was nine hundred and ninety dollars and seventeen cents. The remaining two, Washington and Franklin, Squares were in the possession of the city." His Honor further remarks: "Section Twenty of 'An Act authorizing the City Council of Oakland to improve Streets, Lanes, Alleys, Courts, and Places in said City' (approved April 4, 1864) reads as follows: 'When one street or portion of a street has been, or shall hereafter be, constructed to the satisfaction of the City Council and Marshal of said city, under such regulations as said Council shall adopt, the same shall be accepted by said Council, and thereafter shall be kept open and improved by the said city, and the expense thereof to be paid out of the Street Department Fund.' I would recommend that an ordinance be passed defining the improvements requisite for such acceptance, and I think the same should include grading, macadamizing, sewerage, curbing, culverts, and sidewalks, and in all cases practicable the gas and water pipes should be laid before the streets are macadamized.

"I have heard various ideas expressed and suggestions made relating to the most feasible system to be adopted to connect existing irregularities in the location of streets and blocks. Some are for straight lines; some are for crooked lines; some are for new lines; and others are for no lines at all. I think that system should be adopted that most effectually harmonizes irregularities at the same time interferes the least with existing improvements. The difficulty has been the result of inaccurate surveys by Kellersberger, who laid out and surveyed the town originally. These surveys were made at a time when land was of but little value, and the future destiny of Oakland was not appreciated. All the blocks were intended to be two hundred by three hundred feet, and all the streets, with two or three exceptions, eighty feet in width. The surveys having been with a slack chain the most of the blocks and streets measured a few inches large. Now, by fixing an 'Initial Point' near the center of the city and running lines to the extreme limits of that part of the city originally laid out into blocks and streets, giving to each block and street the exact number of feet designed, the combined surplusage amounts to four or five feet at the extreme limits of the original survey. Had there been initial points established at the four sides of the city and the surplusage of streets and blocks fixed or equalized on the four sides of the city before the present system of accurate measurement from one initial point had been adopted, I think it would have been much better. The few inches more or less in a block or street could have done no harm, and by running short lines through the city, there could have been nothing objectionable to the eye."

On May 17, 1869, it was ordered that Broadway should be opened from its inter-

section with Telegraph and San Pablo Roads to the charter line; and on July 12th, an ordinance was passed directing the numbering of houses. This, however, was repealed, July 26th, and left in abeyance for a time.

The extending of Broadway was accompanied with numerous legal difficulties and perplexities. The first step taken was the tearing down of the only fence in the proposed line by the Road Commissioner, armed with the proper authority from the Board of Supervisors, and then began the work of grading. The morning after this had been commenced that official found the fence restored to its original place, and in a short time an injunction was served upon him, ordering him to suspend operations. He thereupon entered suit in the County Court against the party obstructing.

On January 3, 1870, it was

Resolved, That a special Committee of three be appointed to prepare the draft of a bill to be forwarded to our Legislative delegation for an Act authorizing the city of Oakland to dispose of Washington and Franklin Squares, the proceeds to be applied to the payment of the indebtedness of the city, and that such Committee report the same to the Council at its next meeting.

To this Mr. Miller offered a substitute resolution, providing for the sale of the City Hall and lot, which was lost; the original motion was carried, and Messrs. Van Dyke, Spaulding, and Folger appointed a committee to report. On the 14th February the building of a bridge across San Antonio Creek was recommended and the following resolution passed:—

Resolved, That we approve the bill to authorize the construction of a swing or draw bridge across San Antonio Creek, in the county of Alameda, the draft of which has been submitted for our consideration; *provided*, the following amendment be made thereto, to wit: That when the road and bridge shall be completed they be turned over to the county, and thereafter be under the charge and control of the Board of Supervisors and subject to the same provisions as other county roads; and that being so amended we recommend to our Legislative delegation the passage of said bill.

On September 12th the bridge between Adeline and Peralta Streets on First Street was ordered to be rebuilt; while, on the 19th, Fourteenth Street, from San Pablo Road to the west line of the city, was ordered to be macadamized. On November 28th, in accordance with the petitions of certain citizens, an ordinance entitled "An Ordinance granting permission to certain persons to construct a bridge from the intersection of Jackson Street with the shore of the lake across the lake to Adams Point" was framed and referred to the Committee on Ordinances and Judiciary, who reported, "that the Council had no right to authorize the construction of such bridge across the waters of the lake."

Of the subject of streets, Mayor Spaulding, in his semi-annual message, stated: "Your Honorable Body is doubtless aware of the difficulty that at one time existed respecting the lines and surveys in all that part of the city lying east of Market Street, which received the careful attention of the late Board of Engineers, and were by them so ably and satisfactorily adjusted. It was not known to the City Council at that time what condition the surveys were in, in the western part of the city, but more particularly that part lying west of Adeline Street. Recent investigation has developed the fact that errors and inaccuracies exist to such an extent that only a thorough resurvey and the setting of a series of monuments at proper points can correct these irregularities and harmonize these difficulties. To accomplish this I would sug-

gest that a series of check-lines be run through every third or fourth street running east and west, north and south, and placing at their intersection iron monuments.

"These irregularities have arisen from a variety of causes. The surveys have been made by different engineers at various times since the organization of the city, starting from different points, and, in many instances, the streets have been located with reference to property lines and personal interests. In some instances there have been found to exist discrepancies in the measurements made by the same engineer at different times, which do not agree within themselves and cannot be made to connect. There has not yet been any systematic survey made so as to correct these several surveys or tie them together.

"This matter has already been delayed too long and should be adjusted with as little delay as possible, not only for the welfare of the city but for the interest of the property-owners who have of late become fully alive to the importance and necessity of opening, widening, and straightening the streets. These lines should be established while the streets are being laid out and opened and while there are comparatively but few improvements to be disturbed, and matters in this direction become more complicated.

"I would further recommend that a map be carefully prepared, showing the exact location of all improvements and indicating the position of the monuments, distances, etc., and to have the same filed in the office of the City Engineer for future reference. It is important that these should be done before the adoption of the city map, which is now before you for your inspection and approval."

The Mayor then draws the following picture: "Last, though not least, among the necessary improvements that ought to be made and which should claim a share of your attention is the construction of sidewalks upon our most thickly populated streets, but more especially those that have been graded and macadamized

"The first noticeable feature that strikes the eye of a stranger when visiting our city is the crowd of straggling pedestrians as they diverge from the different stations along the route of the railroad, and wend their way hither and thither, some through weeds and sand where sidewalks ought to be; others, less brave, seek the middle of the streets, much to the annoyance and inconvenience of the travel of carriages and carts, as well as to the risk of life and limb.

"We now have about fourteen miles of macadamized streets and only about two miles of these streets have sidewalks in any manner improved for the convenience of foot travel, and the improvements that have been made were made regardless of any general system, and some of the intended improvements are but little better than none.

"As each property-holder has his own individual notion in regard to the best method of improvement, and has exercised the privilege of putting his plan into execution in front of his own premises, it follows that we have about as many kinds of sidewalks as we have property-owners on the streets where improvements have been made. I would therefore suggest that some general plan be adopted by you for improving the condition of our sidewalks in a uniform and economical manner. We have now had sufficient experience with the various kinds of material used, to be able to determine which is the best. Loose gravel or broken stone wherever exposed

to foot travel is extremely unpleasant and difficult to walk upon and will require years to render it fit for use. The only macadam walks which have so far proved successful have been made from the decomposed rock taken from the Fowler Quarry and spread at a depth of about two inches, and well mixed with fine gravel, and rolled. This makes a good, serviceable walk, at a cost of about thirty cents per lineal foot; or, the white cement gravel found in the vicinity of Fruit Vale. The latter appears to be more preferable, because it becomes more solidified than any other material heretofore used, being less affected by the agencies of the weather. It has been used in some localities in this city for the last eighteen months. The peculiarities which recommend this cement gravel are that, when it is exposed to the elements it becomes adhesive and firm, is comparatively free from mud in winter and dust in summer. This makes it a complete and permanent improvement. Sidewalks made from this material are estimated to cost about thirty cents per lineal foot for walks eighteen feet wide. We have also had some experience with plank walks, laid four feet wide—two-inch plank; this makes a neat, commodious walk for temporary purposes, and recommends itself on account of its cheapness, and will probably be the most acceptable in localities where there are few improvements. This kind of sidewalk can be constructed for twenty-five cents per lineal foot."

From the foregoing it will be gathered that the thoroughfares of the city only little more than a dozen years ago were in what may be termed a state of nature. Such naturally acted as a deterrent against the progress of Oakland, and very properly was a source of anxiety to the head of the city government.

On November 13, 1871, an ordinance was passed levying a tax in the matter of opening and widening Broadway from Fourteenth Street, northerly, to the charter line, the passage of the enactment being brought about by the issuance of a writ of *mandamus* from the County Court to the City Council commanding such levy; while, on December 4th, another ordinance was passed changing the names of Caroline Square to Lincoln Square, and Julia Street to Madison Street. An application from the land-owners on Ninth Street was received on January 2, 1872, to build a bridge connecting that thoroughfare with Franklin Street, Brooklyn.

His Honor, Mayor Spaulding, in his message to the Council under date April 15, 1872, tells them: "We now have the advantage of an experience which has put to the severest test the material used in macadamizing our streets. The experience of the past severe winter has to my mind fully demonstrated the correctness of the principle upon which the work has been constructed. The only correction I have to suggest and which this experience has proved to be necessary is the omission of clay or any like material which has hitherto in some instances been employed. It is important that a system of repair should be established. It seems to be extremely difficult to eradicate from the minds of those who are most interested the idea that when a street is received from the hands of the contractor that it is done for all time. Macadamized roadways require constant and unremitting attention, and this attention should commence from the moment the work is delivered by the contractor; no one thing will add more to their durability and improve their condition than the sprinkling of them during the summer season. I trust that you will inaugurate some system by which the streets that have been macadamized may be kept sprinkled; it will be a great saving to the property-owners as well as a convenience to the public.

"Gillespie, who is considered an authority, says, 'Suppose the road to be already in condition, that is, in proper shape and free from holes, ruts, mud, and dust, to keep it so requires two fundamental operations: First, the continued removal of the daily wear of the material, whether in the shape of mud or dust; and, Second, the employment of materials to replace those removed. The number of men required by this system of constant watchfulness may at first seem an objection to it, but the expense will be amply repaid by the advantages obtained. The labor of one man will keep in repair three miles of well-made and well-drained road for the first two years after its formation and four miles for the next two years by constantly spreading loose stone in the hollows, raking them from the middle to the sides, opening the ditches, etc.' Gillespie's experience has been in a country where the agencies of the weather have been much more destructive to macadamized roads than in ours, being subjected to the frequent rains of summer and frosts of winter, hence it is but reasonable to presume that a macadamized road can be kept in proper condition for much less expense in a climate like this of ours. Therefore, in view of the fact that a roadway may be kept in constant repair at less expense by a little well-directed care and attention, I would recommend that provision be made whereby the Marshal may be provided with the necessary means to accomplish this end."

Under the head of street-lines and grades the Mayor "would recommend that a plan of streets and system of grades be established as early as practicable for the territory recently annexed to the city.* Any improvements that are hereafter made should conform to the general plan, and it is evident that any delay in this important work will only complicate the satisfactory adjustment of the various questions which always present themselves in the solution of this intricate problem. To establish a plan, street surveys should be made to locate all the streets that have been laid out and opened by the property-owners, and where no streets have been laid out the property line should be accurately shown. The data thus obtained should be shown upon a map and a plan of streets should be projected by the Council after due notice to all parties concerned.

"After the plan has been adopted levels should be run through all the streets; profiles should also be made of the streets, and monuments set at the intersection of such streets as the city engineer may propose. With the data thus obtained a system of grades should be devised that would provide surface and sewer drainage for the whole territory, and at the same time accommodate itself as near as practicable to the topography of the ground. It is important in connection with this subject that your attention should be directed to the following facts which have been furnished me by the city engineer, T. J. Arnold.

"During the heavy rains of the past winter a large area of ground in the vicinity of Twenty-first Street, and extending from Lake Merritt westward to the bay, was submerged for a considerable length of time. A very large portion of this water came from without the city limits where it had been diverted from its natural channels by the construction of roadways without proper outlets. The natural water-shed north of the city slopes towards the bay, several streets, however, and notably San Pablo Road and Telegraph Avenue have been graded in such

*Lands annexed to the city April 1, 1872, referred to more fully hereafter.

a manner as to obstruct the material flow of the water and force it into the low ground near the old charter line. A part of the water which caused the damage upon Mr. Booth's premises east of Broadway, came along Telegraph Avenue from a point within two hundred yards of Temescal Creek. It seems that special effort should be made to correct this evil before the approach of another winter. A part of the territory which supplied the water has been annexed to the city and it may be that improvement will be made during the summer that will relieve the difficulty, if the grades are promptly and properly established. It will, however, be necessary that the Supervisors of the county, or the district roadmaster, should provide water-ways between the present city limits and Temescal Creek. This is a matter of sufficient consequence to warrant a special effort on your part to meet and if possible overcome the difficulty.

"I will call your attention to the necessity of re-macadamizing Broadway from Fourteenth Street to the water front. It is important that this work should be done soon, or at least before the advent of another winter. It must be apparent to you that as it now is it compares very unfavorably with other streets of much less importance."

On December 2, 1872, the numbering of houses was ordered by ordinance; while the Council proceeded with a will to general improvement of the thoroughfares. In May, 1873, these are remarked by Mayor Spaulding in the following words: "The most notable feature of our city improvements during the past year is the signal betterments which are shown upon our streets. The City Marshal's report shows that there has been during the year eleven miles and three thousand two hundred and forty-five lineal feet of streets graded, curbed, and macadamized, at a cost to the property-owners of ninety-eight thousand one hundred and twenty-four dollars and eighty-nine cents; also that there has been constructed seven miles and nine hundred and twenty-five lineal feet of sidewalks and crosswalks, at a cost of sixteen thousand nine hundred and forty-three dollars and forty-one cents. Our streets now show, for the first year since they emerged from the dust and ashes of their primitive barbarity, that decent respectability for which they have so long and patiently struggled. Their appearance does tolerable justice to the character and enterprise of our people; they now afford as pleasant walks and as delightful drives as can be found in any city on the shores of the Pacific. While it is with pleasure we comment upon the splendid improvements made upon our streets, I deem it right and just to state in behalf of the people, whose servants we are, that we have neglected a very important duty, one for which the Council cannot hold itself blameless. It is the matter of keeping our streets in repair. In my former communication I urged at length this important measure. I urged it then, and I now urge it again, on the strong ground of economy. It is painful to note that, after all the generous expenditures of money that have been employed in bringing our streets from their almost impassable condition of but a few years since, to their present state of excellence, that no system has yet been adopted for keeping them in repair. The old adage that 'a stitch in time saves nine,' may, with the greatest propriety, be applied to our public streets. They are suffered to be dug up by 'Tom, Dick, and Harry' for 'this, that, and the other' cause. The macadam broken up and replaced without regard to 'how or where,'

regardless of law or ordinance regulating these matters. As a matter of economy alone, our macadamized roadways should have constant and intelligent care. A system of repairs should be inaugurated for this purpose, without further delay. All species of vandalism and unlawful spoliation should receive that kind of attention that will be most likely to prevent its recurrence. The streets should be kept clean, the gutters free and clear from all obstructions, all depressions should be promptly leveled up, etc. A team and all necessary implements should be provided for the purpose. By a little well-directed, prompt, and judicious action on your part the excellent condition of our streets (which are now a credit to the city) may be continued from year to year with but trifling expense. Otherwise, if the unlawful spoliations, the accumulation of dust and filth are allowed, and the ruts and holes to go unrepaired, they will go on from bad to worse until they become no longer endurable, when the cry will be raised for a general repairing, which will cost a great deal more and give much less satisfaction than the continued system, which I have formerly and now again recommend. The plan which has been adopted, and in a measure carried into effect, for the improvement of our sidewalks, has met with such universal favor that I deem it unnecessary at this time to make any further recommendations concerning them. The large number of trees which have been planted along our thoroughfares shows a sensible and praiseworthy effort on the part of our people to make their homes pleasant and attractive, as well as enhance the value of their property, and certainly it cannot be otherwise than devoutly wished that their patriotic example will in the future be more generally followed.

"I desire to call your special attention to the embarrassing and vexatious question of opening streets. The law, which should direct in such matters, and which should be so plain that it could be susceptible of but one interpretation, has been found so ambiguous that the efforts to open streets where such work was emphatically necessary, has in most cases been abortive; in some cases creating expensive litigation, engendering confusion and discord among the people, besides bringing the Council into contempt in its endeavor to do the people's will. I therefore would recommend that you suspend further action in all such cases until such time as some of the pending cases can be taken to the Supreme Court for final decision."

As the city increased in population, property-holders found it to their advantage to open streets by compromise among themselves, and in every case, or nearly so, where the law for the opening of streets was resisted in the Courts the city was defeated. The constitutionality of the method provided for the assessment of damages and benefits had frequently been argued, but the decisions were uniformly based upon points which, to non-professional men, seemed to be of minor importance. Fatal irregularities were discovered in the proceedings of the Council, or of the Commissioners who made the assessment. In a few instances parties consented to the opening of streets under proceedings instituted by the Council, because the amounts involved were not sufficient to justify litigation, or because those affected were satisfied with the justice of the assessment, and desired the improvement to be made. In some localities, again, these were greatly retarded from the lack of suitable streets, and property-owners that resisted such improvements in any spirit of captiousness harmed themselves more than they did others. While on this subject, Mayor Webber,



Joseph Lancaster

under date February 28, 1876, says: "I do not think that the Council should hesitate to inaugurate proceedings when it is evident that an improvement should be made. We do not know that there is any valid defect in the law, and we should presume it to be sound, and attempt to comply with its requirements. The acceptance of streets is a subject that had frequently been brought to the attention of the Council, but upon which no definite action had been taken up to that time. Section Twenty of the law authorizing the city to improve streets, provides that the Council shall accept those improved according to such regulations as it may have adopted, and that the cost of improvements and repairs on said streets thereafter shall be paid out of the Street Fund. The Marshal is required to keep a register of all accepted streets. No streets have ever been accepted under this statute, and the city has no authority to expend money for repairs. The law is somewhat obscure, and extreme caution is necessary, for any mistake now might entail upon the city the cost of a class of improvements that should be paid by the property which they benefit. It is no more than equitable that the city should stand the expense of re-macadamizing a street, where the original improvement has been worn out by the public, but it would be highly unjust to require the city to construct a pavement more valuable than the original one. If the city, under the law, accepts streets without incurring any liability other than I have mentioned, such action should be taken."

On April 24, 1876, an ordinance was passed authorizing the construction of a bridge across the estuary of San Antonio, between Eighth Street and East Ninth Street, and fixing the dimensions thereof. On the same date the name of Middle Street was changed to Ninth Street; and on November 27th the contract for building the Eighth-street Bridge was awarded to the Pacific Bridge Company, at thirty thousand dollars.

After the burning of the City Hall on August 25, 1877, a certain faction of the citizens of Oakland conceived the brilliant idea that now was the proper time to open Washington Street to the San Pablo Road. By so doing the line of the street would necessarily run through the City Hall lot, to which the City Council most naturally demurred. Meetings were held; some considerable feeling on the subject was engendered; letters were written to the Council reflecting upon their ideas in the matter; indeed, several pseudonymous letters were received by that body bearing on the affair. Eventually it took a tangible shape, and at their meeting held September 21, 1877, President Walter stated that they were ready to hear from the Committee appointed to confer with the Council relative to the opening of the street. Mr. Flint, as chairman of the Committee, read the resolutions adopted by the Merchants' Exchange and presented petitions from property-owners on Washington Street, and from citizens, in favor of the opening of said street; also submitting a proposition to buy the city's property, affected by the opening, for twenty thousand dollars, and for the improvements on the same ten thousand dollars, equal to thirty thousand dollars, cash, as soon as the city was ready to sell. Discussion here ensued relative to the proposition, and remarks were made by Councilmen Miller, Sohst, and Citizens Reier, Wetmore, Emerson, and Flint, after which the question was taken under advisement.

Let us now refer to the actions on record in regard to Lake Merritt, that beautiful sheet of water which is so justly a source of pride to the residents of Oakland. It had

long been under the fostering care of the Council and citizens of the city. A very large extent of country is drained by the lake. On February 21, 1870, an ordinance was passed having for its purpose the prevention of the destruction of fish in it. It then was left in repose, save by the whipping winds, until February 9, 1874, when some hard-hearted individual attempted to dub it with another appellation, which very properly called forth a strong protest against it from the City Fathers. Lake Merritt had, however, met with a more formidable enemy in the shape of the Tide Land Commissioners. In the month of February, 1873, they appeared to have a settled determination to sell the tide lands in its vicinity, but some of the public citizens of Oakland—who are never weary in well-doing—circulated the following petition in the hope that the Commissioners would leave them that indispensable piece of property:

“TO THE BOARD OF TIDE LAND COMMISSIONERS—*Gentlemen:* The undersigned citizens of Alameda County respectfully protest against the threatened spoliation of Lake Merritt, by the sale of any portion thereof.

“The area of said lake is a natural tidal basin, the larger portion of which was formerly bare at low water. The part lying within the corporate limits of Oakland was long since abandoned to public use, and a large sum of money (say thirty thousand dollars) has been expended in building a permanent dam with tide-gates, so that said basin can be kept full, or may be partially emptied when desired.

“The lake is indispensable for drainage purposes to much of the surrounding country, including the entire city of Oakland; and the sewerage system of Oakland, as recommended by eminent engineers and adopted by the city, depends upon the waters thereof as confined by the dam. The area of the part of the basin outside of the city limits is about fifty-five acres, and if this should be filled—the bottom being deep, soft mud—it might convert the lake into an insupportable nuisance, or destroy it as a tidal basin for the purpose of drainage and sewerage, as described.

“The tidal basin of said lake also constitutes an important feature in the contemplated improvement of the estuary of San Antonio, for the purpose of navigation and commerce. We, therefore, respectfully but urgently petition your Honorable Body to abandon the portion of Lake Merritt belonging to the State, as a basin for the purpose of drainage and commerce, as provided in Section Two of the Act of 1870, or to withdraw the same from public sale, as provided in Section Nine of the Act of 1868.”

In his message of February 28, 1876, Mayor Mack Webber states in regard to the improvement of Lake Merritt: “By your direction temporary repairs have been made to the Lake Merritt dam. As long as the present structure can be maintained with a moderate outlay for repairs, it is not necessary to construct one of a more permanent nature: whenever replaced it should be by one that will last for all time. It is to serve a double purpose: It gives us a beautiful lake and has made possible the construction of the main sewer, just completed. [This work we shall treat of presently.] The dam and roadway should be combined in a single structure, thereby saving a needless expenditure when it shall become necessary to build another bridge.

“There is at present a roadway running by the margin of the lake on its eastern

side. This should be continued around it and connected with Webster, Harrison, or Alice Streets.

"I recommend that the Council take suitable steps to open a street over the designated route and cause the same to be improved, if it can be done under existing laws. This can easily be made one of the most magnificent water parks in the world. A moderate amount of dredging would deepen the water so that sail-boats could navigate any part of it, and also furnish material for the construction of one or more artificial islands. The completion of such a work would increase the reputation of our city and doubtless attract to it large numbers of gentlemen of fortune, who, by the erection of costly houses, would add to the general wealth and prosperity. It would be equally important to thousands of our citizens, who would indulge in the pastime of boating if the navigable area of the lake were not so circumscribed as at present. Works of this nature cannot fail to exact a powerful and beneficial influence in favor of the community that have the energy and good taste to project them."

Most of these improvements have been carried out; while, on a fine afternoon or moonlight summer's evening, no more animated view is to be seen than the white-winged boats flitting hither and thither, loaded with a merry freight of laughter-loving youths and maidens.

In the year 1870 the Webster-street Bridge was built. In this matter, at the meeting of the Council held February 21, 1870, Mr. Spaulding offered the following resolutions:

WHEREAS, It has come to the knowledge of this Council that there is dissatisfaction among the residents and property-owners of Brooklyn and San Antonio respecting the action taken by this Council in the matter of giving their sanction for the passage of a law for the construction of a bridge at the foot of Webster Street to connect with Alameda; and

WHEREAS, It is not the wish nor desire of Oakland or its representatives to obstruct or in any way to impede the progress of our neighboring towns; therefore be it

Resolved, That the citizens of Brooklyn, San Antonio, and Alameda, by their representatives, be requested to meet this Council at their rooms at half-past seven o'clock P. M. on Friday evening, February 25th, to show wherein or how they will be injured or benefited by the construction of a bridge at the point above named.

This special meeting was called, but in the mean time a protest was received from Brooklyn Township to the following effect: "At a meeting of the citizens and property-holders of Brooklyn Township, held at Swett's Hall, Wednesday evening, February 23, 1870, the following resolution was unanimously adopted, and the Secretary of the meeting was instructed to present a certified copy to the City Council of Oakland on Friday evening, February 25th:

Resolved, That it is the opinion of this meeting that the construction of a bridge over the San Antonio Creek will be detrimental to the inhabitants of Brooklyn Township in an eminent degree; also injurious to the interests of the county in general, by the creation of a very costly structure to be foisted upon the county at great expense for the care and keeping the same in repair.

A printed protest was also received from thirty-three citizens of Oakland, to the following effect: "The undersigned hereby protest against the erection of a bridge across San Antonio Creek, as is now proposed by parties in Alameda. In our estimation a bridge would seriously obstruct navigation and impose unnecessary expense upon Oakland. We would suggest that the proposed connection, if necessary, be made solely at the expense of residents of Alameda, and by *road and ferry only*, in

accordance with the original proposition." In furtherance of the subject, on February 28th, citizens of Alameda and Brooklyn being present, on motion of Mr. Van Dyke, these were invited to express their views on the bridge question. The Council having listened to the remarks, *pro* and *con*, Mr. Folger offered the following resolution:

Resolved, That the City Clerk be authorized to communicate with Messrs. Calvin Brown, George E. Gray, and A. F. Rogers, and ask them to give this Council, on or before Monday, March 7, 1870, their opinion of the effect that the erection of a bridge across San Antonio Creek, especially as affecting the depth of water therein, and that the opinion of any other scientific gentlemen on the subject, who may favor us with the same, will be cheerfully received.

These gentlemen in due time sent in their reports, all being at one on the subject. What these views were, the following excerpt from the report of Mr. Rogers will inform the reader. After generalizing on the subject of bridges in general and draw-bridges in particular, and explaining the trouble attending the passage through, whether it be during the day or night, at all stages of the tide, he goes on to say: "San Antonio Creek, at the foot of Webster Street, is ten hundred and fifty feet wide, with a depth in the channel of ten feet at mean low tide; going east this depth is increased, near the junction of the Lake Merritt arm with the main creek, to over twenty feet, probably the junction and combination of both tidal streams at this comparatively narrow point. Going west the depth varies from ten to eighteen feet, never less than ten or over eighteen, until the waters are freed from the banks of the creek and enter the bay of San Francisco, and, spreading, lose their identity and force; too sluggish, any longer, to scour, they rapidly deposit sediment and add to what is known and felt as the Oakland Bar. The effect of accelerating or retarding the current is, I think, curiously and plainly marked by increased or diminished depths at several points in its course between the localities I have named.

"The effect upon the channel of throwing a pile-bridge across it at the point proposed would be serious; it would, I think, make it only a question of time when the draw would be useless; sediment would be deposited under the bridge, eddies formed around it, the current retarded, and gradually, but surely, the process of filling up would be extended both above and below the structure. This is so palpable a fact that I am sure any engineer who has looked at the effect of throwing wharves into, or bridges across, tide-waters, will corroborate the statement. I repeat that *the effect would be to shoal the water both above and below the bridge, and I think that I may say so thus positively without the fear of honest contradiction.*

"In order properly to estimate the value of the San Antonio Creek to Oakland, Alameda, and Brooklyn as a navigable channel, we must look back and ask what these places would have been without it; the creek channel as nature made it and entirely unimproved, afforded the opportunity, and the only opportunity, in early days, of combining a San Francisco business with an Oakland residence; this combination built houses by the thousand in Oakland and vicinity when there would otherwise have been to-day but tens to count. This route thus furnished the incentive to build a powerful rival and *has afforded the only means since to prevent that rival from greatly abusing its power!*

"From our experiences of the past we may estimate the possible future of San Antonio Creek, if the advantages nature here holds out shall be utilized for commer-

cial purposes. Some of the principal elements for what is not elsewhere now in San Francisco Bay, are here offered to us—a perfectly sheltered harbor.

“It is to be hoped that the interests of the Water Front Company and our great railroad may be identical in developing these advantages; a third of the expenditure necessary to carry the *Central Pacific Railroad over a permanent bridge to permanent improvements at Yerba Buena Island, would adapt San Antonio Creek to the requirements of shipping, admit the largest vessels and open a water frontage of eight or ten miles, or as much effective front as San Francisco shows to-day.*

“When Oakland has improved the channel of the Creek, it may be proper to build bridges, for then, and not till then, can the necessities of bridging command the capital and warrant the expenditure necessary to build such structures as may not obstruct navigation or injure that channel.”

The bridge as then planned was to be one thousand feet in length with a “draw” of two hundred feet, and to cost twenty-five thousand dollars. Early in March, 1871, it was completed. On April 10th, “An Ordinance levying a Special Tax upon Property in the City of Oakland for the purpose of defraying the proportion of the Expense assigned to the City of Oakland for the construction of a Swing or Draw Bridge across San Antonio Creek, in the county of Alameda, as provided in an Act of the Legislature of the State of California, entitled, ‘An Act to authorize the construction of a Swing or Draw bridge across the San Antonio Creek, in the County of Alameda, Approved April 4, 1870,’” was passed, and a special tax of twenty-five cents on each one hundred dollars of property ordered to be levied for the purpose of defraying the expense of the bridge. On July 10th of the same year, an ordinance was passed, having as its object the protection of what is known and denominated “The Alameda Bridge” across San Antonio Creek.

But this by no means winds up the matter of the Webster-street Bridge: more will be found about it in our remarks on railroads.

We will now turn our attention to the sewerage of the city of Oakland. Mayor Spaulding, in his message to the Council, dated May 15, 1871, speaks of this subject as follows: “Another matter which I deem of eminent importance to the city, and to which I wish to call your attention, is the subject of sewerage, important because it comes directly home to every citizen. Nothing can be of more importance to the people of a city than that which tends to promote and secure its healthful condition. It seems strange that after so much has been said and so much time devoted to this matter, that so little has been accomplished. How can our citizens be so blind to their interests as to longer neglect it, while it is within their power to accomplish a perfect system of sewerage and at a cost that will not be burdensome to the most humble property-holder. It has not been the fault of the Council; for I am well aware that its purposes have been negatived by protests from the property-holders in localities where these improvements were sought to be made. Another long and dry season is upon us with the evil consequences resulting from an imperfect system of sewerage. In view of this fact, I believe it to be your duty to lose no time in doing all within your power to put the city in a proper sanitary condition. In order to accomplish this end, as the law now stands, it is necessary that you should have the support and co-operation of the citizens, who have the power to annul all your efforts by majority protests.

"The subject of sewerage and drainage was brought before the City Council about two years ago, and by them submitted to a Board of Engineers. This Board was composed principally of the best engineering talent of the State—men of large practical experience—who spent a great deal of time in examining the topography of the city and of determining the best and most economical method of drainage. One of their number during their investigation (Mr. Hoadly) visited many of the eastern cities, among them Brooklyn, New York, and Chicago, where they have fully demonstrated the practicability of cement and stone or earthen-pipe sewers, and satisfied himself that they were a success, both as regards economy and practicability. With these investigations and information procured from scientific works, they submitted to the Council an able and elaborate report, recommending the adoption of the pipe system of sewerage. This report was unanimously adopted by the City Council.

"To relieve your minds of doubts and to corroborate more fully the correctness of this system of sewerage, permit me to call your attention to the following extracts taken from reports of engineers in some of the Eastern and European cities.

"Mr. Francis, in his report on the sewerage of Manchester, England, speaking of the pipe sewerage which is extensively used in that city, says: 'I think the idea of requiring that the main sewer of every street should be large enough for a man to go through, is absurd, because it involves an awful waste of money. * * * It soon appeared to me that the oval-shaped pipe was better for sewer purposes, and I get oval tubes made by a fire-brick-maker in this vicinity. * * * I am quite satisfied that the tubes are sufficient for large areas and that a pipe twenty by fifteen inches will be sufficient to drain thirty acres. * * * A tube sewer laid in 1847, size, fifteen by twenty inches, oval, drained an area of about five or six acres, with an inclination of one foot in one hundred and forty-four, or one-fourth of an inch per yard, has kept perfectly clear. * * * With regard to inclination, my views are as follows: Nature is the great guide, the large rivers have very slight inclinations, and as we pass up to their tributaries and minor streamlets, this is found constantly increasing. Sewerage should be a copy of nature's plan on the surface. The following rates of inclination should be adopted where practicable: nine-inch pipes one in fifty to one in two hundred feet; twelve-inch pipes one in fifty to one in four hundred feet; fifteen-inch pipes one in fifty to one in four hundred and eight feet; eighteen-inch pipes one in fifty to one in four hundred and eighteen feet.

"Mr. Chesborough, City Engineer of Chicago, who was sent to Europe by the city authorities some years ago to examine the different systems of sewerage in use there, reported, that he found the pipe sewers in successful operation in almost every city that he visited. Upon his recommendation they are now used upon all the principal streets of that city. In his report on pipe sewerage in Liverpool, in speaking of the town of Rugeley, says: 'This town has been drained since 1851 by circular stone-ware pipes having socket joints filled with clay, the mains varying from six to twenty-four inches; they receive, not only the ordinary house drainage, but in some cases the surface water from the streets and all the contents of water-closets. Some of them are seven by eight inch sewers, having an inclination of one foot in one hundred and thirty-seven, yet have never given any serious trouble. At this time,' he says, 'the number of sewers in London is one hundred and twenty-seven, the least inclination of the pipe is one foot to two hundred and twenty feet.'

“Mr. Kirkham in his report on the Brooklyn sewerage, published in 1865, after discussing the manner of laying the pipe and enumerating the many advantages to be derived from this system of sewerage, says: ‘If the rate of inclination of a sewer is not flatter than one foot in four hundred and forty, the experience of Brooklyn and other cities equally well supplied with water, shows that the blind domestic sewerage of any street is competent to carry off daily all the heavier matters of sewerage, and to keep the drains free and clear, provided that the form of the sewer is such as to concentrate these sewerage waters as much as possible. If the sewer is made unnecessarily large, the depth and velocity of the fluid passing through it are proportionately reduced and its ability to keep itself clear will be confined to high rates of inclination. It is important therefore to have it as small as the service required of it will admit. As regards the necessity of entering sewers, which was dwelt so much upon ten years ago, the successful use of the small sewers shows that this necessity does not exist; they have been found safe and effective when properly built, and less troublesome as regards cleansing than the old sewers.’

“Extract of a letter from Robert Rawlinson, Civil Engineer of London, to Mr. Kirkwood, Chief Engineer of the Brooklyn Water Works, under date March 4, 1858, says: ‘I find that in Great Britain, within the last five years, not less than two thousand five hundred lineal miles of earthenware-pipe sewers and house-drains have been used, and for the five previous years some twelve hundred miles, making in all not less than three thousand seven hundred miles. I have completed sewerage and drainage works in some dozen towns, and have laid upwards of two hundred miles of earthenware-pipe sewers and drains without a single failure.’

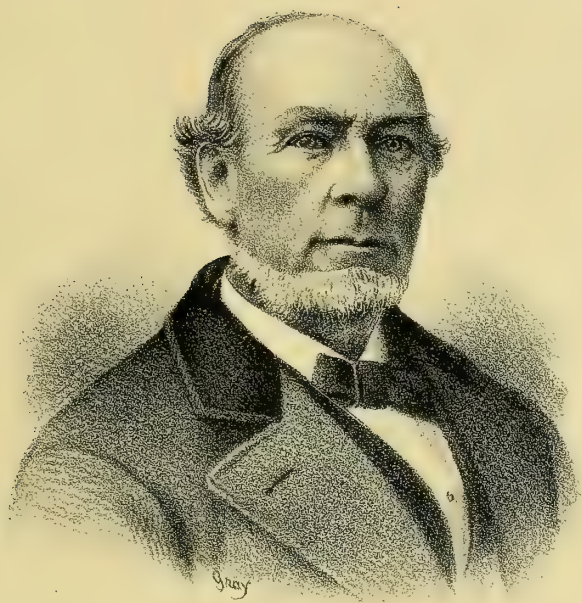
“In Chicago, where pipe sewers of twelve inches in diameter are used with an inclination of one foot in five hundred, a tank is placed upon wheels and is used for flushing where water is not otherwise convenient. This may be done in Oakland, if necessary, where the termination of the sewers is not accessible to hydrants or cisterns. The experience we have had in the Broadway sewers shows that flushing is seldom necessary, as these sewers have been flushed but twice within the last year, and no stoppages have occurred to impair their usefulness. A late inspection finds them free and clear of all solid matter or obstructions, the house drainage furnishing sufficient water to keep them open. It may be observed that in general the contemplated sewers of our city have a greater inclination than those above cited, as in but few instances will they have less than one foot in two hundred, and many of them one foot in one hundred. An important consideration in favor of the pipe sewer is the comparative cheapness of its construction, costing from one dollar to one dollar and a half per lineal foot, while the ordinary brick sewer costs from five to seven dollars, besides being much more expensive to keep clean and in repair. Hence, with the knowledge we now have and one year’s successful experience with the cement-pipe sewers on Broadway, the most populous street in the city, there should be no question in your minds as to the ultimate success of this system of sewerage.

“Another point in connection with this subject to which I wish to call your attention is that many residing on the streets where sewers are laid have neglected to connect their house drainage with the sewers, thereby rendering void, to a certain extent, the salutary benefits calculated to be produced. I would therefore recom-

mend that necessary steps be taken by your Honorable Body to compel these connections to be made with as little delay as possible. To effect this object I would suggest that a police officer be detailed to act with the City Marshal and Health Officer for the purpose of seeing that these connections are made and maintained, and other nuisances which would impair the sanitary condition of the city promptly abated."

In this year (1871) the sewer on Webster Street from Twelfth Street to the water front was constructed, but no especial action was taken to establish a general system of sewerage, although a large majority of actual residents upon the principal streets favored the scheme, but these intentions were usually defeated by non-residents. Late in the year 1871, the Board of Engineers recommended, as a part of the system of sewerage proposed by them to the Council, the "construction of a main sewer, leaving Lake Merritt at Delger Street, and running thence along Delger Street to San Pablo Avenue; thence to Twenty-first Street; thence to Market Street; and thence continuing along Twenty-first Street to the shore of the bay, a total length of eighty-four one-hundredths miles. This sewer should be five feet wide at the bottom, and five and a half feet high in the clear. It should be built of the best quality of hard burnt brick, and provided with a self-acting tidal-gate at its outlet into the bay, and may be flushed when required from the waters of Lake Merritt." By this means all the sewerage and drainage of that section of the city lying north of the watershed, and of the sloping ground north of the sewer itself, and beyond the charter line would be received, while the southerly limit of the area that would drain into this sewer would correspond very nearly with the line of Twelfth Street. On April 15, 1872, Mayor Spaulding continued to urge upon the Council, as a duty incumbent upon them for the protection of the city against the encroachment of sickness and disease, the construction of extended sewerage and the abatement of every nuisance which could in any way militate against the healthful condition of the city. The matter at last met with a pretty general approval, and the good work was proceeded with. During the year ending February 28, 1873, three miles and three thousand one hundred and fifty feet of sewerage were laid at a cost of twenty-six thousand and seventy-five dollars and seven cents, a fact which certainly speaks well for the energy of one year.

The construction of the main sewer became now imperatively necessary, and attracted much discussion. The city, however, had no power to cause the work to be done; therefore the necessary steps to get an Act passed by the Legislature were taken. On December 22, 1873, the draft of the proposed bill entitled "An Act to provide for the construction of Main Sewers in the City of Oakland" was read at a meeting of the Council, while on the 29th December, a communication from the Secretary of the Oakland Citizens' Union was received by the Council, inclosing a report of a Committee on main sewer from Lake Merritt to San Francisco Bay, and a profile map of the same, together with certain resolutions adopted by the Union, recommending the preparation of a new charter for the city and naming a committee for the purpose. On March 23, 1874, "An Act to authorize the City of Oakland to construct a Main Sewer" was approved, and on the 18th May, the City Council passed an ordinance directing the building of the sewer; on October 12th the contracts were awarded to Mr. Jordan and M. Miles & Co. At the meeting of the Council, had



Moses Wicks

September 20, 1875, the City Clerk was directed to advertise for the period of twenty days for the sale of sixty thousand dollars in bonds of the city of Oakland authorized to be issued in accordance with the above Act of the Legislature.

The Main Lake Sewer is the most costly and important public improvement ever made in the city of Oakland. It was completed in 1876, and, as stated before, connects Lake Merritt with the bay of San Francisco. The tidal current steadily flowing through it from the east is of sufficient velocity to remove all extraneous matter that may be run into it, while the correctness of the engineering has been demonstrated, and the wisdom of the Board that directed an excellent system of sewerage is fully apparent.

The first contract for the two sections of the sewer was let to Dennis Jordan at an aggregate of one hundred and twelve thousand dollars, a sum far below the real cost. The contractor failed to prosecute the work according to agreement, and contracts were let in October, 1874, for the entire work to Mr. Jordan, who agreed to construct the first, or brick, section for eighty-eight thousand dollars, and M. Miles and F. Raesch, who agreed to construct the second, or wood section for thirty-four thousand dollars, the total being ten thousand dollars in excess of the price agreed upon with Dennis Jordan.

These parties also made default, and the contracts were a third time awarded. The Pacific Bridge Company contracted to construct the first section for one hundred and twenty-six thousand eight hundred and fifty dollars. The Alameda Macadamizing Company agreed to construct the second section for thirty-eight thousand two hundred dollars, making a total of one hundred and sixty-five thousand and fifty dollars.

On account of the default of the earlier contractors, the completion of the sewer was delayed for a year, causing very great inconvenience.

By the terms of their contract the defaulting contractors were liable for the difference between the original price and the price finally paid, or fifty-three thousand and fifty dollars. The cost of the work is given below:—

First Section—Contract price.....	\$126,850 00
“ “ Extra work.....	512 40
Second Section—Contract price.....	38,200 00
“ “ Extra work.....	525 00
Total.....	\$166,087 40
Paid Contractors.....	157,483 73
Balance unpaid.....	\$ 8,603 67
Cash in Sewer Fund.....	\$ 1,250 73
Deficit.....	\$ 7,352 94

The unpaid balance consisted of three hundred dollars retained until the contractors had removed surplus material and five per cent. on the amount of their contracts not payable until one year after the completion of the work. The deficit was caused by the extra work (one thousand and thirty-seven dollars and forty cents) and the discount on a portion of the bonds which had to be placed upon the market during a time of very great stringency and disorder in financial affairs. The material

used and the workmanship have been first-class, for the Council very properly adopted the policy that it was the truest economy to have so important a public work done in the best manner possible. The sewer drains an area of one thousand two hundred and eleven and a half acres, while an ordinance was soon after passed prohibiting the further use of lateral sewers which discharged their sewerage into Lake Merritt. The sewer commences in the lake near the intersection of Delger Street with the west line of Harrison Street, and runs thence along Delger Street to San Pablo Avenue; thence along that thoroughfare to Twenty-second Street, and afterwards through it to the bay, a total distance of nine thousand nine hundred and twenty-four feet, three inches. The first section, which, as has been heretofore remarked, is of brick, extends from the east line of Broadway to the west line of Adeline Street, a distance of five thousand five hundred and eighty-five feet, three inches. The second section, of wood, extends from the initial point in the lake to the east line of Broadway, and from the west line of Adeline Street to the bay, a distance of four thousand three hundred and thirty-nine feet. East of Broadway the sewer is five by five feet in the clear; west of Broadway it is five feet wide by five and one-half feet high in the clear. The brick portion of the sewer is of the form and dimensions recommended by the Board of Engineers, viz.: the bottom an inverted arch of six and a half feet radius, the sides vertical, and the top a semi-circular arch. The bottom of the sewer at the inlet is two feet six inches below ordinary high water in the lake; at the outlet it is four feet six inches below the same plane, giving an available descent at extreme low water sufficient to remove all ordinary deposits.

Ere concluding matters connected with the Engineers' Department of the government of the city of Oakland, it may be mentioned that at the meeting of the Council held June 6, 1878, consequent upon the lamented demise of the City Engineer, the following resolutions of condolence were unanimously passed:—

WHEREAS, It hath pleased Divine Providence to remove from our midst a useful and upright citizen, an honest and capable official, THOMAS J. ARNOLD, and

WHEREAS, It is due to the deceased to recognize his ability and worth, as exemplified by his acts during his life, and pay a last sad token of respect to his memory: THOMAS J. ARNOLD was loved and respected; a citizen whose character was ever resplendent with bright deeds and whose acts bore truth and honesty upon their surface. Oakland may well mourn, for it has lost a valuable public servant; one who was ever identified with the rise, progress, and material interests of the city, and whose name is coupled with the grandest of achievements. He desired to live, for he had a great deal to live for, but He who doeth all things well issued the decree which summoned him from the earth to a better realm beyond.

We drop this sprig of green *in memoriam* of him who dwells with us no longer, but whose deeds are in the possession of history and those who know him best.

We extend to the bereaved widow and the fatherless our sympathy in these moments of sadness. Knowing and feeling that we but echo the responses of a kindred nature from many of the citizens of this city and abroad, Therefore be it

Resolved, That this Council attend the funeral of our late lamented City Engineer, in a body, and that on to-morrow the City Hall will be closed to public business, so that city officials can attend the obsequies; and be it further

Resolved, That the City Clerk is hereby directed to spread these preambles and resolutions upon the minutes, and a copy thereof be transmitted to the widow of deceased.

In continuation of the official acts of the Board of Trustees of the Town of Oakland in the year 1853, we find that an election was held on the 9th May at the house of A. Marier, with A. S. Hurlburt as Inspector, and Julius Kellersberger and H.

A. Brown, Judges. The result of this election will be found in the table of city officers at the end of this chapter. On the 16th of the same month Albert W. Barrell (*sic*) was chosen to be President of and A. S. Hurlburt Clerk to the Board of Trustees. On July 12th an ordinance for the protection of bridges and of people crossing the same was passed; while, on the same day, the Clerk was directed to devise a Common Seal for the town, and cause the same to be engraved, at a cost of not more than fifty dollars. This seal was adopted as the Seal of the Corporation, under date May 6, 1854, after Oakland had been invested with civic honors. On the last-mentioned date the Clerk was directed to cause to be erected around the "Public Square on Broadway*" a neat and substantial fence at a cost not to exceed one thousand dollars, and, on July 16th, it was directed that the Clerk should receive five hundred dollars a year for his services.

In the month of July, 1853, the first public school in Oakland was organized, with sixteen pupils, the building used having been erected at a cost of one thousand dollars, and until now (January, 1883) has been occupied as an African church, having been removed from its original location at the corner of Clay and Fifth Streets to the corner of Market and Seventh Streets. It afforded all the public-school accommodation of Oakland until the year 1862. August 16, 1853, the Board of Trustees ordered that the Free School in the town, "already established and supported by private means, is hereby continued and declared a Public Free School, and all expenses incurred in supporting the same shall be paid by the town of Oakland, out of the Free School Fund of said town," and, December 24th, four hundred and fifty dollars was allowed to Miss Hannah J. Jayne for teaching the same for three months. This lady is now Mrs. Edson Adams, of Oakland. In his first message to the City Council after his election as Mayor, Horace W. Carpentier, under date April 29, 1854, says:—

"The subject of Free Schools and Popular Education will engage your continued and most solicitous attention. Of all the duties devolved upon you, that of fostering common schools is perhaps the most important. By adopting a wise policy in this behalf, and aided by such liberal encouragement as we may hope to receive from private generosity and from the State Legislature, Oakland will, at no distant day, become a chief seat and center of learning. In this respect I trust that you will anticipate the wants of the city rather than follow after them. It will be necessary for the city immediately to erect one or more additional school houses, and in doing so economy as well as utility will best be subserved by building upon a plan at once substantial, durable, and commodious. Though other interests should suffer I trust that this will not be neglected."

On June 24, 1854, the first Board of Education was appointed, and was composed of Aldermen Kelsey, Blake, and Marier; while, under date April 18, 1855, we find the first report concerning schools, as follows: "We, the Board of Education, having by several of our body examined the Free School of this city, and having been satisfied that the present provisions for the instruction and accommodation of the scholars are insufficient; that with the utmost exertions of the faithful and efficient teacher now employed, much that ought to be done must be neglected, as not only an insufferable

* This is the first official mention of Broadway, formerly known as Main Street.

loss will be sustained, but a bad example set the pupils in the misuse and waste of their precious time, we do hereby present to the Honorable Council our recommendations, viz., that larger accommodations be immediately provided by the enlargement of the present school house, or the leasing of the building known as the 'Pavilion,' and that an assistant teacher be procured to take charge of the younger portion of the scholars, or otherwise to co-operate with Mr. Warner in the instruction of the school."

It would appear as if in the month of December, 1855, the Presbyterian Church presented a bill to the Council for the use of a bell, for we find that a committee was appointed to inquire into this subject, as on the 12th of that month they reported: "The First Presbyterian Church of Oakland bill for a bell, now in use for school purposes, we cannot advise to be allowed, for the following, to us, very conclusive reasons: *First*—That the bell was bought by subscription of the citizens, and not by the church. *Second*—That it was bought with the understanding that when the large bell arrived (which was then understood to be on the way) it was to be placed on the school house and used for school purposes; the money was collected from the people promiscuously and not from the church, some giving one, some five dollars, and the church at that time having no organization. The bell, as is well known, was used on the school house for church and school purposes, and has now reverted to its original intentional use on the school house; it is obvious therefore that the city ought not to pay for it again, having once been paid for by the public."

We may here mention that in June, 1853, the lamented Rev. Henry Durant opened the "College School" at the corner of Main (Broadway) and Fifth Streets, while others had been organized and the foundation of Oakland's present greatness as the "Athens of the Pacific" laid. In his message to the Council of March 10, 1857, Mayor Williams thus speaks on the subject of education: "Among the institutions which adorn our city, far from the least attractive and useful are a collegiate institute, a boarding-school for young ladies, a juvenile male school, and a public school. The first named of these is now in the third year of its existence, during which period one hundred and twenty-eight pupils have received instruction in its halls and have brought to and expended in the city upwards of twenty-five thousand dollars. It has now about thirty boarding and day students in the various departments of classical literature, and is yearly adding to its well-deserved reputation. The second (embracing the third) has been established here within the past year, is in successful progress and gives high promise of future usefulness and renown. But your fostering care is most strongly solicited for the support and advancement of public schools. In 1855 one hundred and fifty-two, and in 1856 ninety-one children were taught in the public schools in this city; but, in 1856, it was continued only four months, owing to want of funds to pay the teachers, no taxes having yet ever been appropriated for that purpose. The result showed not only a withdrawal of sixty-one scholars, but satisfactorily demonstrated that the amount of taxes upon the withdrawn capital—withdrawn by the parents of the sixty-one scholars—would have been more than sufficient to have paid their proportion of the teacher's salary, besides adding in various other ways to the prosperity of the city; and it will scarcely be questioned that a strong evidence of a good and worthy citizen is the fact of his sending his children to school, and from such humble schools have heretofore emanated some of those patriots and statesmen

who have adorned your Legislative halls and shed an imperishable glory on their country. I urgently recommend to you therefore the efficient support of common schools, even by some aid (if necessary) from taxation as a measure eminently deserving and deservedly receiving the public approbation." These eloquent remarks were accordingly acted upon, and the public schools flourished. In December, 1858, the School Marshal reports that there were within the corporate limits of the city two hundred and thirty-eight children between the ages of four and eighteen years of age, and by a strange coincidence exactly the same number under four years old.

Under date September 14, 1859, the Superintendent reports on the condition of the public school and the necessity for continuing the same, but there was apparently some difficulty in the way of so doing, for, on the 21st September, the City Council determined to request the Board of Education to ascertain what amount could be raised monthly among those who have children at the public school for its temporary support. As year followed year the limited accommodation for scholars made itself more and more felt and a cry was made for more space, but with no avail.

On August 1, 1860, the school "Trustees" became "Commissioners;" and, March 6, 1861, a School Fund was inaugurated to be held subject to the order of the Board of Trustees. In this month, too, the Committee on Education, in conjunction with the Board of Education of Oakland School District, Number One, were called upon to select a site for the erection of a public school house, who, May 15th, reported that they had selected Jefferson Square for such; but, the school house was never built there apparently. It may be said, casually, that this is the block of land bounded by Seventh and Sixth Streets and Grove and Jefferson Streets. On February 5, 1862, we find that one-half of block number one hundred and forty-seven* was purchased from Mr. Birnie for four hundred dollars, for school purposes, but nothing was then done there, for it is recorded on the minutes of the City Council that at a meeting held on March 19, 1862, a school was ordered to be erected on block number one hundred and fifty-five. This block, situated between Jefferson and Grove and Eleventh and Twelfth Streets, was purchased for the sum of nine hundred dollars, whereon a school house thirty-six by thirty-nine feet, six inches, and eighteen feet ceiling was directed to be built, the contract therefor being awarded to George Barnes and Joseph Huffman at the price of fourteen hundred and fifty dollars. In that year there were one hundred and nine scholars attending the public, and one hundred and ninety-three pupils at the private, school, figures which show a steady increase in the attendance and therefore a corresponding rise in the population of the city. In November, 1862, the new school house was occupied; and, March 3, 1863, the City Superintendent of Schools, Rev. George Mooar, made the following report to the Council: "When the present Board of Education took the oath of office in November, 1862, the public school was in the charge of Mr. F. Warner and Miss Martha Pratt. Mr. Warner soon after resigned his position, and it was deemed proper to suspend the school from December 23, 1862, until January 26, 1863, for the sake of having more time to procure a teacher. After sufficient notice of the vacancy had been published, an examination of applicants was had before the Board, and certificates were given to Henry Hillebrand and S. B. Baker, and Mr. Hillebrand was chosen teacher of the

*This block is bounded by Tenth and Eleventh Streets and Castro and Grove Streets.

public school, Number One, without specified time. Miss Pratt has been meantime continued as assistant; the salary of the teacher is ninety, and of the assistant sixty, dollars monthly. The school has been in session to the present date under these teachers, with a good degree of success, if its disadvantages be considered.

"These disadvantages are so great and of a character so unworthy of the city, that I beg to state them plainly, and to urge your immediate attention to them.

"The number of children reported by the School Marshal last November as residing in this city, between the ages of four and eighteen years, was four hundred and eighty-one. It may be calculated that eighty of these were children belonging to other towns and cities, attending the College of California, the College School, the Seminaries for Young Ladies, and other private schools, so numerous established here. It is not unsafe then to suppose that there are four hundred children for whom the city needs to make accommodation.

"The present accommodation, it will appear evident, is painfully insufficient. For the city has but one school-room, intended, I am informed, to accommodate sixty scholars. In this school-room, as at present furnished, are thirty excellent desks, sixteen other cheap seats for younger scholars, four settees, not suitable for school-seats, but capable of holding perhaps twenty scholars. There are then sixty-six seats in the school-room. But the number of scholars in the lists since January 26th is one hundred and eleven, now belonging to the school; March 3d, one hundred and five; the average daily attendance being about eighty. To supply these scholars with seats, some old benches are furnished on the sides of the room, and a part of the scholars are drawn off, from time to time, to the small entry, where Miss Pratt hears their recitations.

"It is plain that, taking only the number of scholars in actual attendance, the school needs another room of nearly equal capacity. But if the accommodation were what it ought to be, and the school what it then might become, the scholars in actual attendance would be many more. But if we compare the actual accommodations for sixty with the number of children for whom provisions should be made—four hundred—the demand for enlargement will seem imperative indeed.

"It will be urged that the surplus scholars are attending private schools, and would not attend the public school in any event. I have no reliable return of the number of private school scholars. But it is not at all likely that it is three hundred, and if it were, the fact would be no reason against providing very much larger accommodations than at present exist. For if the public schools of Oakland were what our American school system is capable of making them, when once faithfully worked, the number of private schools would be rapidly diminished. Facts may be pertinently introduced here. In 1817 no public provision was made for primary scholars, and for some others, in the city of Boston, Massachusetts. There were consequently one hundred and sixty-two private schools, attended by four thousand one hundred and thirty-two pupils; in 1862, with a population more than four times increased, the one hundred and sixty-two private schools had become sixty-two, and the four thousand one hundred and thirty-two pupils had become two thousand and seventy-two. Meantime the scholars of the public schools increased elevenfold. There can be no doubt that if we enlarge our public school and perfect it, the number of scholars will be greatly increased.

"Moreover, it is unjust to many of the poorer classes of our population to subject them to the necessity of the expense involved in sending their children to private schools, when, by a very small comparative expense, schools might be provided which would accommodate all classes of scholars equally. I need not enlarge, however, farther on the general principles of the points presented, presuming that the facts themselves will be sufficient to commend the subject to your attention.

"At the risk of injuring my cause by presenting too many subjects at once and at too much length, I invite your attention to the propriety of having all reports and other documents pertaining to the public school; excepting, of course, such as the Board and Superintendent make to the Council, deposited with the Superintendent of Schools, and filed among the papers of the Board of Education. As it now is, the Board has no documents before it. Even the reports of the teacher are filed in the office of the City Clerk. The report of the School Marshal has not been in its possession. The reports of moneys likely to be available to the city from the State and County School Funds are not furnished. The Board has no proper means, therefore, of knowing how long the school can continue in session. It would be well also if the ordinance establishing the Board of Education could be revised and published for the convenience of the members and for the sake of a better understanding of their duties. It might appear best in such revision to make the Board of Education somewhat more independent of the Council, and competent to attend to the whole management of the schools, of which, according to the present arrangement, it has but partial control. This, however, would need very careful and unhurried action.

"Every officer is likely to magnify his own office, and to set forth the importance of it, as if no other were important; but it may well be doubted whether, in the present condition of the public schools of Oakland, it is possible to overrate the urgency of immediate and generous enlargement of their resources and their means of usefulness."

Upon being read, the Council heartily coincided with the sentiments expressed in the foregoing able document, and took it under careful consideration.

On December 22, 1863, the public school property was ordered to be fenced in, at a cost of three hundred dollars; while the returns show that during the year one hundred and thirty-eight scholars attended the public school, and two hundred and seventy-six pupils were at private institutions; and in 1864 two hundred and seventeen, and two hundred and eighty-eight pupils attended the public and private schools respectively.

In the month of August, 1865, the lot, one hundred by one hundred and twenty-five feet, situated at the corner of Alice and Fifth Streets,* was purchased for eight hundred and seventy-five dollars, and a building erected thereon in which school commenced, with sixty scholars.

On March 31, 1866, there was approved by the Legislature an Act entitled "An Act creating a Board of Education for the City of Oakland," which was to comprise eight members to be chosen by the City Council for the first year, after which they were to be elected at the annual charter election of city officers; four members to be elected for one year, four for two years, and at every election thereafter four members

* This property was sold in 1874 to the Central Pacific Railroad for six thousand dollars.

to be elected annually for the term of two years. Under the provisions of this Act the powers of the Board were very restricted, but they were by Section four given full control of the City School Fund. On its coming into operation, the Council, May 2, 1866, carried a motion that in electing the Board of Education two members should be chosen from west of Adeline Street; four from Adeline Street to Broadway, and two from Broadway to the easterly line of the city, the choice falling upon Reverends B. Ackerly, L. Hamilton, George Moor, and Messrs. J. H. Brewer, R. E. Cole, George H. Fogg, W. S. Snook, F. Warner. On June 27th an ordinance was passed appropriating money to build a school house at the Point. On January 23, 1867, a communication from the Secretary of the Board of Education, representing that the sum of five thousand dollars, in addition to the State and County appropriations, was needed for the use of the public schools; and on January 30th the Chairman of the Committee on Education made a statement to the Council, in relation to the propriety of the City purchasing the building known as the "Pavilion," situated on Washington Square, for the purpose of converting it into a public school-room; and recommending the Council to purchase the same. On November 9th the new Grammar-school house was handed over to the Board of Education for the use of the public schools of the city, who invited the Council to the dedicatory ceremonies on November 19, 1867. This building is now known as the Lafayette Primary School, and is situated at the corner of Twelfth and Jefferson Streets.

We have seen that steps had been taken to raise funds for purchasing school property at Oakland Point. This was added to in June, 1868, by the purchase, for thirty-five hundred dollars, of the land adjoining. Here the Prescott School was built, and opened January 4, 1869.

On March 13, 1868, "An Act to provide Funds for the School Department of the City of Oakland, and to authorize the payment of certain present indebtedness," was approved by the Legislature, by which the Council were authorized to issue and sell school bonds to the amount of fifty thousand dollars; while, on March 14, 1868, was approved "An Act to establish and define the powers and duties of the Board of Education of the City of Oakland." By the provisions of this Act the number of the Board was reduced to seven "School Directors" who were given sole power to establish and maintain Public Schools in Oakland; employ and dismiss teachers; provide suitable rules and regulations for the government of the schools; procure supplies, build, alter, repair, and rent school buildings; purchase and sell land for school purposes, with the concurrent vote of the Council; maintain actions at law; determine the amount of school tax to be levied by the Council. It was given also the exclusive control of the School Fund, and ample power to carry into effect all the provisions of the Act.

No teacher can be employed in the School Department who does not bear a certificate issued by the City Board of Examination, and the Board of Education can determine upon what qualifications shall be possessed by teachers in its employ.

A City Superintendent of Schools is chosen at each charter election, who is the executive officer, and upon him falls the task of having the immediate care of the schools.

Since the passage of the bill several amendatory Acts have been passed by the Legislature but all have left the original provisions fundamentally the same.



L. Buksen.

On March 15, 1869, William Harwood, a member of the Board of Education, made the following report to the Mayor, which was embodied in his message of that date to the City Council: "The School Department is entirely beyond the control of the City Council with but two important exceptions, and the Mayor can exert no authority whatever, either directly or indirectly, in his official capacity, in shaping the actions of the Board of Education. It is a department in our municipal government organized for the administration of a special trust and in sphere its authority is absolute. The annual report of the City Superintendent of Public Instruction will soon be laid before the people and it is not essential that on the present occasion the minor details of the working of the department should be presented. A general reference to the more salient points will in this connection suffice.

"For many years has the excellence of our private schools and seminaries been instrumental in inducing many to become permanent residents of our city, who otherwise would have been perfectly indifferent to the place and its interests. Within the past two years the Public Schools of Oakland have emerged from a condition discreditable to the city to a degree of excellence unsurpassed in the State, and promise hereafter to benefit Oakland to an extent even greater than our private institutions, celebrated as they may be. The knowledge that our public schools are conducted with ability; that their accommodations are ample and that their teachers rank among the highest in their honorable profession, is a powerful inducement for families to locate in Oakland, it being only seven miles from San Francisco. They can enjoy the advantages of metropolitan life with but comparatively few of its corrupting influences. The records of the School Department show that since July last there has been a very material increase in population, so great in fact, that it has been necessary to immediately prepare for the erection of a new school house, and to provide present accommodations by renting rooms and hiring additional teachers, a task in which a Committee of the Board of Education is now engaged.

"According to the census taken in July last (1868), there were one thousand and thirty-eight school-children, for whom State and County funds could be drawn. There were, all told, seventeen hundred and thirty-five children under the age of fifteen years, residing in the city. The actual attendance at the schools at the present time is as follows:

Prescott Grammar School.....	114 pupils
Lafayette Grammar School.....	162 "
Primary, No. 1.....	157 "
Primary, No. 2.....	127 "
Total	560 pupils.

"It is estimated that very nearly one hundred more pupils would be in attendance were there proper accommodation in the grades already established. The organization of a High School has received the attention of the Board of Education, and before the close of the current year it is presumed that the plan will be consummated. In that event the number of children and youth educated at the public expense would be considerably increased, as many who are qualified for a High School must now either attend a private institution or none at all. It is the intention of the Board of Education to establish the higher grades as quickly as may be necessary, so that the

scholar who graduates from the Public Schools of Oakland will be qualified to enter the State University and there pursue the higher branches of knowledge. We have four school houses in actual use, and thirteen teachers are employed by the Department, their aggregate salaries amounting to twelve thousand five hundred dollars per annum. The direct management of the schools devolves upon the Superintendent, who has shown himself to be an exceedingly efficient officer.

"During the past year an eight-room school house has been built at the Point and additions and alterations affording increased accommodations have been made to Primary No. 1 and Primary No. 2. The building at the Point was erected at a cost of seven thousand nine hundred and fifty dollars, a price remarkably low for so fine an edifice. Two school lots have also been purchased, one at the Point for thirty-five hundred dollars, and the other being the west-third of block number forty-six,* for five thousand five hundred dollars, making the total cost of the land purchased during the past fiscal year amount to nine thousand dollars. For the Point school house and additions to other school buildings about ten thousand dollars have been expended. In addition to this amount ten thousand dollars have been appropriated for the purpose of paying for Lafayette school house, erected in 1867, so that the whole sum expended for school land and improvements is twenty-nine thousand dollars, obtained by the sale of bonds as provided by the Act of the Legislature. It will thus be seen that a considerable part of our city indebtedness has been incurred in the purchase of school property which could now be sold at a great advance upon the original cost.

"The finances of the Department have been managed with evident prudence and ability. By special Act of the Legislature the City Clerk and Treasurer is made Treasurer for the Board of Education (thereby almost doubling the labors of that official). From his cash account it appears that from March 1, 1868, until February 28, 1869, the total sum placed to the credit of the School Fund, exclusive of the proceeds from the sale of bonds, was twenty-two thousand, eight hundred and sixty-four dollars and fifteen cents, of which amount, nine thousand one hundred and fifty-eight dollars and ninety-seven cents were received from direct city taxation and the remaining thirteen thousand seven hundred and five dollars and eighteen cents, from the State and County School Funds. During the same period the expenses of the Department payable out of these funds amounted to fourteen thousand six hundred and seventy-one dollars, and four cents. The monthly expenses have uniformly increased since March, 1868, and the estimate made by the Board for the next year—twenty-eight thousand dollars—will certainly not exceed the actual amount necessary, for not only must the current expenses be paid from the amount so received, but the furniture and apparatus must be paid for from the same source. To the expenses we have named for the past year there should be added about three thousand dollars for expenses incurred during that year but not credited until after its close. The school funds now on hand will suffice to meet current expenses until the collection of taxes next Fall.

"The law under which the Board of Education has its existence was passed at the last session of the Legislature, and under its provisions the workings of the School Department have been most satisfactory. It is only in the matter of issuing bonds,

* This block is situated between Fourth, Fifth, Grove, and Jefferson Streets.

and in the purchase sale, or lease of property that the Council has any concurrent action with the Board of Education, and it is gratifying to state that whenever any concurrence on the part of the Council has been asked for it has generally been promptly granted."

In August, 1869, the primary school on the east side of Grove Street, between Fourth and Fifth Streets, was opened. It will thus be seen that Oakland at that date possessed educational advantages of a very high order, while it is gratifying to place on record, that her scholars, then as now, were well-conducted within and without the school, their general demeanor testifying to a high moral training.

In the year 1871 there was a Cosmopolitan School under Professor Champion, situated at the northeast corner of Grove and Eleventh Streets, an experiment that was tried with some diffidence by the Board of Education, everything there being taught in the French language. We cannot agree with the following remarks of a writer treating of this institution: "There ought certainly to be one language familiar to all educated persons, and French by its easiness and wide diffusion, has the best claim to selection. As we learn the language of foreigners we get into their ways of thought, and the way is paved for that universal brotherhood which, we believe, will yet reign upon earth." This is a pleasant enough picture, but we rather incline to the belief that a good knowledge of our own tongue will carry us as far through the world as would any of the languages of continental Europe, and would not militate against paving the way for that universal brotherhood so touchingly described above. But be that as it may, it is a pity that so excellent a venture should have had to succumb.

On September 17, 1871, the handsome High School building at the corner of Market and Twelfth Streets was dedicated with appropriate ceremonies.

In the year 1872 there were nearly eighteen hundred pupils attending the public schools of Oakland, showing an increase of one thousand six hundred in ten years, while at that time there were three thousand four hundred and two children fifteen years of age and under within the corporate limits of the city. It will also be seen that the change in school accommodations had kept pace with the increase of children, while Oakland then boasted, as she does to-day, of as fine school buildings and as efficient a corps of teachers as could be found anywhere.

The school building known as the Lincoln Grammar and Primary School located at the corner of Tenth and Alice Streets, was first occupied in this year, while the buildings in East Oakland became the property of the Board of Education consequent upon the annexation of that district to Oakland in November, 1872. The reader will therefore remark, and not without some astonishment, that from 1853 with one building and sixteen pupils, the department had increased to buildings comprising thirty-six rooms and over fifteen hundred pupils.

On December 22, 1873, a communication was received from the Committee on Legislative action of the Board of Education covering a resolution of the Board asking the co-operation of the Council in obtaining authority from the Legislature to issue bonds to the amount of one hundred thousand dollars for purchasing lots and erecting and furnishing buildings for school purposes; also, a communication from the Oakland Citizens' Union asking for the same; also, the draft of an Act authorizing the said issue of bonds. A resolution recommending the passage of the Act was thereupon offered.

From the foregoing remarks it will be observed that the management and control of the public schools of the city of Oakland are vested in the Board of Education. In the purchase of lands and the erection of school houses the Council has concurrent jurisdiction, while the management of this trust has been, in the main, economical. The high character of the schools and their great reputation sufficiently attest the wisdom of the general policy that has been followed and the fidelity of the Board in the discharge of its duty. In providing for the maintenance of the schools the policy of the city should be just and liberal. It should be its aim to have as good a system as money and skill can create. In common with all citizens we believe that there should be the utmost economy in the management of public affairs. The public do not expect, however, that school houses shall be built for less than they are worth, or that teachers shall be underpaid for their labor. There can never be public complaint where a full equivalent is returned for the money expended, and there will be no permanent indorsement of any measures that are parsimonious instead of economical. Large as the yearly expenditure is there can be no serious complaint as long as the public funds are used to the best possible advantage. Oakland may well be proud of her public and private seminaries, and truly should she glory in the name of the Athens of the Pacific Coast.

Another matter of vast importance which took its start in 1853, was the establishment of means to prevent conflagrations. The first notice that we find of a Fire Department is on August 27, 1853, when an ordinance was passed relative to the purchase of a fire-engine, to effect which, Mr. Staples and the Clerk of the Board of Trustees were appointed a Committee, who, on December 24th, were authorized to pay two thousand dollars therefor. On the 8th October, John Scott and others petitioned for the organization of a regular Fire Department to comprise the Empire and Washington Engine Companies and the Oakland Hook and Ladder Company. This organization was effected in 1854; John Scott elected Chief Engineer; and an engine-house built. On March 25, 1854, eight hundred dollars was allowed for the purchase of hose, necessary fixtures, and painting the engine-house; while, in his first message, Mayor Carpentier recommended the organization of a more efficient Fire Department. He says: "Notwithstanding the width of her streets and comparative isolation of her buildings, Oakland is still exposed to danger from that element which has successively visited with ruin nearly every other city and town in the State. The building of cisterns at convenient intervals will be necessary, and I recommend the purchase by the city, at an early day, of additional fire-engines and also of the necessary apparatus for Hook and Ladder Companies. By a judicious use of such means as may be in our power, and by encouraging a spirit of emulation among the citizens, I hope, at the end of the year, to see the Fire Department of Oakland one of the best regulated and most reliable in the State." On June 24, 1854, Empire Engine Company and Oakland Hook and Ladder Company were admitted into the Department; and the Chief Engineer recommended the building of four cisterns to be placed at the corners of Broadway and First, Second, Third, and Fourth Streets. On being referred to the Committee on fire and water, however, on June 24th, they advised the construction of only two of these, viz.: at the corner of Broadway and Second and Fourth Streets. On August 5, 1854, Washington Fire Company, No. 2,

was admitted into the Department; and, on November 4, 1855, the office of Fire Warden was created. Unfortunately this organization was short-lived. On January 16, 1856, we find the Council authorizing the sale of the fire-engine if it could be done with advantage to the city, but on its being ascertained that such must be done by auction, in accordance with the charter, its sale was deferred. There is no other record in this regard until March 25, 1865, when fire limits were first established by ordinance.

About this time the Delger Block was destroyed by fire and damage done to the extent of fifty thousand dollars. The want of an efficiently equipped Department was felt, therefore the military company known as the Oakland Guard tendered their services to the city in the following communication, an act highly creditable to the company and the individuals composing it:—

“TO THE HONORABLE, THE COMMON COUNCIL OF THE CITY OF OAKLAND—
Gentlemen: The late disastrous and destructive fire which has devastated a large portion of our young city certainly shows the urgent necessity that exists for a proper fire organization to resist such a dire evil in the future. As citizens of Oakland, and having her welfare and safety deeply at heart, we tender the services of the Oakland Guard as a fire company, provided your Honorable Body will furnish the necessary apparatus. While our services as soldiers are not needed on the battle-field, as firemen we may save our fellow-citizens, their lives, and property, from the scourge of fire.

“Respectfully Yours,

HENRY N. MORSE.”

Consequent upon this public-spirited offer a public meeting of citizens was called for April 24, 1865, where the presence of the Guard was earnestly solicited, and a Hook and Ladder Company was organized by them.

On January 18, 1868, it was resolved by the City Council that permits would no longer be granted to erect wooden buildings within the fire limits.

The present Fire Department was organized March 13, 1869, under the provisions of an ordinance approved September 21, 1868, by the election of John C. Halley as Chief Engineer, and Thomas McGuire and George Taylor, Assistants, who succeeded John Scott, Chief, and John C. Halley and W. W. Moore, Assistants, acting under authority of a previous organization. The apparatus of the department comprised a third-class Amoskeag fire-engine, purchased by the city, and a hose-carriage procured with funds temporarily advanced by Colonel John Scott.

On September 28, 1868, an ordinance extending the fire limits was passed, which was repealed, however, on the 28th October.

The Oakland *Daily News* of January 15, 1869, says: “There have been passed numerous ordinances creating and organizing a Fire Department, almost every Council having considered it incumbent to pass some such measure and in due time repeal it. The present Council has created a Fire Department, on paper, and destroyed it. Another department is about to be created which will be a reality, and we hope never to be disorganized. In ordering the transfer of five thousand dollars from the Building to the General Fund, the Council signified its intention to pay for the steam fire-engine from the first funds that might be received. There is before the Council, for its consideration, a very long and elaborate ordinance providing for the organization of a Fire Department, the outlines of which we will briefly state: Section One

enacts that a Fire Department is thereby created, and that all engine, hook and ladder, and hose companies having an organization and constitution, after petition to the City Council, shall be furnished with apparatus, provided the constitution of such company shall be submitted to the Council and approved by that body. Section Two provides that the Fire Department shall consist of a Chief Engineer and Assistant Engineer, three Trustees, a Foreman and Assistant Foreman for each fire company, a Foreman for each hook and ladder company, and such other officers as each company may require. Each fire company shall, when full, consist of sixty-five men, including officers, and each hook and ladder company shall consist of twenty-four men. The hose company shall consist of men detailed from the fire company with which it is connected, and the men so detailed shall elect their own officers, and all the officers of each fire company, or hook and ladder company, are to be chosen by the members of each company. The Council shall appoint a competent Engineer and Assistant Engineer for each steam fire-engine. The Engineer must live at the engine-house and give his whole personal care to the trust devolving upon him, always responsible to the foreman of his company. In his absence the Assistant Engineer will attend to all these duties. The Chief Engineer and the Engineers of each steam fire-engine shall be allowed a salary to be fixed by the Council, but no other person connected with the department shall be allowed any compensation for his services. Section Three provides that the Trustees of the department shall be elected by the department, and hold office at their pleasure, but they shall not receive a certificate of election unless the City Council shall order the Clerk to issue the same; and by a two-thirds vote, with the concurrence of the Mayor, any Trustee can be removed. The department cannot remove a Trustee without the consent of the Council. No person removed can again serve as a Trustee in the department. Section Four provides that the Board of Trustees shall hold in trust for the city all property of the Fire Department, and shall descend to their successors in office without formal conveyance. Each Trustee shall take a proper oath before entering upon his duties, but no bonds are required. Section Five provides that the fire companies shall, on the third Monday of March in each year, hold an election for a Chief Engineer and an Assistant Engineer, such election to be held at some engine-house, as the Council may order, after ten days' notice. Only those persons who have for thirty days been members are entitled to vote, and the officers elected are to be approved by the Council before a certificate of election can be granted. Should they refuse to approve of the officer chosen by the department, they are to elect officers themselves. Section Six provides that each company shall adopt such rules and regulations as it may deem proper, subject to revision by the Council. Section Seven provides the duties of the Chief Engineer. He shall in all cases of fire have the sole control over all persons connected with the Fire Department. He is to have the arrangement of apparatus at fires. He shall examine frequently into the condition and requirements of the Department and report the same monthly to the Council, and also the number, location, and description of any property that may have been damaged or destroyed by fire, and the total loss. He is to superintend the erection of engine-houses, cisterns, and any repairs which may be required and ordered by the Council. Section Eight provides that the Engineer and his Assistants shall take oath of office. Section Nine

provides that the Chief Engineer's office shall be declared vacant by the Council, should he for the period of thirty days absent himself from the city. Section Ten enacts that the Chief Engineer shall act as Fire Warden and exercise a supervision over the construction of flues and chimneys. He is given power to cause the removal of hay or other dangerous material not under proper cover. He is given the authority to enter any house and inspect the same, and if he should find any explosive or combustible material liable to accident by fire, or any unsafe stovepipe or chimney, he shall order the owner of the premises, or the occupants of the same, to remove such dangerous material or stovepipe, or make the same secure. Persons refusing for the space of five days to obey such order shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than fifty nor more than one hundred dollars. The Engineer is to have power to order the immediate removal of any gunpowder or explosive material which may be dangerous to life or property. Any fines which may be collected under this section shall be paid into a fund to be known as the Fire Department Fund.

"The next section provides that the Foreman of each company shall report to the City Clerk each quarter the names of all the members of his company, which shall be duly registered. The following section enacts that any insubordinate fireman shall be tried by the company to which he belongs, and punished by fine or expulsion if found guilty of an offense. The next section provides that at an alarm of fire no engine shall be taken from its house unless one of the Foremen or four of its firemen be present and consent thereto. The next section vests every Foreman with all the powers of a policeman at the time of a fire. The following section makes it unlawful to drive a vehicle over the hose of any engine at a fire. The Chief Engineer is, by the next section, given power to order the tearing down of any buildings in an emergency occurring during a conflagration. Persons called upon by the Mayor, a policeman or a fireman, at any fire, for assistance, and refusing, shall be deemed guilty of a misdemeanor. No independent fire organizations outside the provisions of this ordinance shall be permitted in Oakland."

These valuable rules are here produced, not especially as a portion of the history of the city of Oakland, but as a possible advantage to those other towns where in the future it may be necessary to organize a Fire Department. They will be found eminently useful as a guide and foundation on which to build up so necessary an association.

On March 3, 1869, the Phoenix Fire Company was admitted into the organization, but her stay in the Department was not of long duration, as the following resolutions passed by the Council on October 24, 1870, will exemplify:—

WHEREAS, It is evident that Phoenix Engine Company, No. 1, after an existence of more than eighteen months, has utterly failed to so perfect its organization as to become a well-drilled and efficient fire company, and

WHEREAS, Said company shows no signs of improvement, but on the contrary manifested even less efficiency than usual at the fire which occurred on the 16th instant, and

WHEREAS, The negligence and want of skill of said company have resulted in large losses of property to our citizens; therefore

Resolved, That the honorable, the City Council, be requested to disband said company and take such steps as they deem necessary for the election of a new company by the Commissioners, or otherwise.

Which, on being adopted, twenty-six persons were accepted as a new organization.

On February 17, 1869, the Council passed the following resolution:—

Resolved, That the Committee on Fire and Water be requested to consider the matter of having hydrants placed at convenient locations about the city and report to the Council at an early date.

It is always a pleasing duty for the chronicler to place upon record the public acknowledgments of those persons who have earned the good wishes of their fellow-citizens. On February 22, 1869, Chief Engineer John Scott and the Oakland Fire Department were presented with a beautiful silver trumpet on behalf of the Pacific Insurance Company. The presentation was made by R. N. Williams, in a felicitous speech before the whole brigade, as follows: "*Firemen of Oakland*—The anniversary of the birth of the Father of our Country has been well chosen to celebrate the successful inauguration of an enterprise which claims the active sympathy and co-operation of every citizen of Oakland. You have associated yourselves for no selfish purpose, but for the public good. The parade to-day shows what can be accomplished by men, few in numbers, but resolute in purpose, bent upon the acquirement of an object in which they believe, and for which they are willing to work. In a short time you have stimulated the public into earnest support of an effort to provide some means of protection against fires. You have induced by your personal exertions an apathetic city government into providing a steam fire-engine, which has no superior on this Coast. You have organized a company of active and intelligent members, whose very appearance guarantees their efficiency. From among you, a few of the more prominent ones have secured an expensive hose-carriage and an ample supply of hose, for which they have become personally responsible. So far as you are concerned the organization is a complete success, and, with the exception of providing a 'steamer,' you have no one to thank but yourselves. You may well feel proud of your organization, for it is the result of your own labor. Only one thing is necessary to render your efficiency complete—an ample supply of water, and the public voice imperatively demands that this want shall be immediately supplied. You deserve some acknowledgment from the people for your services, and as the representative of one of the prominent Home Insurance Companies I request your acceptance of this trumpet for the use of your Chief Engineer and his successors in power." Mr. Williams then addressed the Chief Engineer of the Department, Col. John Scott, complimenting him upon the energy and perseverance he had exhibited in organizing the Fire Brigade. He expressed his belief that the gift would but gain value while in his possession, and, looking forward into the future, predicted that in time his little son, who was present, would fall heir to his father's tastes, energy, and popularity, and perpetuate the name of Scott in connection with the position of Chief of the Oakland Fire Department, to all of which the gallant Chief made a suitable reply. The trumpet bore the following inscription: "Presented to the Chief Engineer of the Oakland Fire Department, John Scott, by R. N. Williams, Agent of the Pacific Insurance Company." On the inverse side are the words: "To John Scott, by R. N. Williams, February 22, 1869."

On April 8, 1872, the West Oakland Hose Company was admitted into the Fire Department.

In his message of April 15, 1872, Mayor Spaulding speaks as follows of the



J. L. Lyon

Fire Department: "Now that we are in a position to add to the efficiency of the Fire Department, I would suggest that the necessary steps be taken to render this department as efficient as our circumstances will admit, and the necessities of the case require. To this end I would recommend at least two cisterns in the most favorable location, of sufficient capacity to meet the requirements of possible emergencies, also that those already constructed be put in proper condition.

"An apparatus which served the purpose of a few scattered hamlets in years gone by can no longer be considered sufficient to serve the purpose of a city of the proportions we now assume. In procuring new apparatus it should be your purpose to procure that which will best serve the requirements both as to utility and economy. I consider the Babcock Fire Extinguisher worthy of your special investigation."

In a report made to the Council on April 15, 1872, by Chief Engineer George Taylor, we find that at that date the department was in possession of one steam fire-engine; one two-wheel hose-carriage; one Hook and Ladder truck and hooks; twenty-one hundred feet of hose; forty-one fire hats and belts; two fire-bells; thirteen hydrants, and three cisterns, valued in all at fourteen thousand seven hundred and thirteen dollars; while the department consisted of Phoenix Engine Company, No. 1, with forty-five members, and Relief Hook and Ladder Company, consisting of thirty-seven members.

Under the head of hydrants, Mr. Taylor says: "The hydrants are located as follows: Northeast corner of Eighth and Alice Streets, northeast corner of Twelfth and Alice Streets, northeast corner of Tenth and Webster Streets, northwest corner of Eighth and Broadway, northwest corner of Tenth and Clay Streets, northeast corner of Eighth and Grove Streets, northwest corner of Tenth and Brush Streets, northwest corner of Fourteenth and Brush Streets, northeast corner of Eighth and Adeline Streets, northeast corner Eighth and Center Streets, northeast corner of Seventh and Pine Streets; Point, northeast corner of Fifth and Broadway, northwest corner of Twelfth and Broadway." He goes on to state: "The mains in the streets are not of sufficient size to properly supply the hydrants in case of fires, and I would recommend the laying of fourteen-inch mains." In regard to cisterns, the Chief Engineer observes: "There are three cisterns. They are located at the corners of Broadway and Second, Broadway and Third, and Broadway and Fourth Streets," while he recommends the building of a second engine-house in the lower portion of the town, other than the one already constructed on the City Hall lot.

On October 7, 1872, the complement of the Hook and Ladder Company was increased to seventy men, while, on November 4th, thirty-five citizens organized into the department in place of the "J. B. Felton" Engine Company, No. 2, disbanded; and, on December 11th, Brooklyn Engine Company, No. 3, was admitted into the brigade.

On August 10, 1874, an ordinance for the re-organization and government of the Fire Department was passed; and, in 1876, a fire-alarm telegraph was completed. On January 21, 1878, the office of Fire Marshal was created.

It is unnecessary further to pursue this theme. "Tall oaks from little acorns grow." This has been the history of the Oakland Fire Department, a branch of the municipal government of the city that cannot be too carefully fostered. It is not

requisite that we should here enumerate the names of the different fire companies, for their histories will be found separately given at the end of this chapter; suffice it to say that they all are in a state of high efficiency, and on all occasions when called upon render valuable service.

On the 25th April M. M. Howe, late City Marshal, made his report:—

“GENTLEMEN: I have the honor to make the following report:—

Total amount of taxes collected by me is.....	\$1,959 58
F. K. Shattuck & Co., taxes marked paid by order of Council.....	76 50
	<hr/> \$2,036 08
Less my legal fees	305 41
	<hr/> \$1,730 67
F. K. Shattuck & Co., taxes, etc.....	76 50
	<hr/> Total amount due the city.....\$1,654 17

Annexed is a list of property, the taxes on which remain unpaid.

Respectfully, etc.,

M. M. HOWE, *City Marshal and Tax Collector.*

Under date April 21, 1855, Marshal Howe communicates the following letter to the Council:—

“Since the making of the above report I have paid back to Dr. de Tavel thirteen dollars and forty-five cents, he having presented to me a receipt for the same property. There also remains (not yet paid in by Mr. Crocker) thirty-four dollars and ninety-three cents, making forty-eight dollars and thirty-eight cents, to be deducted from one thousand six hundred and fifty-four dollars and seventeen cents, leaving the sum of one thousand six hundred and five dollars and seventy-nine cents to be paid to the city, which amount is in my hands in Fire Department scrip. I herewith transmit papers from the Sheriff to me, for your attention and await any orders from your Honorable Body.”

Accompanying the above report there were two copies of executions; one issued out of the Third Judicial District Court in favor of Hill, Hassington, and others, dated February 6, 1855; the other, issued out of a Justice Court, Brooklyn Township, dated Clinton, March 3, 1855.

This report was referred to the Judiciary Committee, who, May 2d, made their statement as follows:—

“The Judiciary Committee to whom was referred the report of M. M. Howe, late City Marshal, of April 21st, and received by the Council April 28th, beg leave to report that they have examined the same, and regret to find it entirely unsatisfactory, as to the finances of the city and the money in his hands. He does not set forth from whom he has received taxes, nor in what sums, in detail, nor is the same accompanied with the official books which he is bound to deliver to his successor, or surrender them to the Council. It alleges that he has appropriated to his own use three hundred and five dollars and forty-one cents of the city’s money, which he assumes is the amount of his legal fees, whereas it is his duty to pay over into the City Treasury the whole money collected, and present his bill for services to be properly audited. It alleges that all the money collected by him, and now in his hands, is all in city scrip of the Fire Department Fund, without specifying in what sums received, or from whom. Your Committee therefore deem the said report

entirely unsatisfactory, and they recommend that legal proceedings be instituted against Mr. Howe and his sureties on his official bond, to enforce from him a legal compliance with his duty as late Marshal."

On January 9, 1856, he, however, paid his balance to the Treasurer, amounting to one thousand six hundred and thirteen dollars, being the sum due by him for collected taxes during the fiscal year 1854-55. On the 16th of the month last mentioned the City Treasurer reported a balance in money and scrip of two thousand nine hundred and eighty-five dollars and forty cents, a decided improvement in the state of the city's finances.

Let us for a moment turn to the defaulting ex-Marshall, John Hogan. On February 20, 1856, Messrs. Talcott and Durkee and Mr. Webb laid claim to the reward of two thousand dollars for his apprehension, but this the Council declined to entertain, as they had reason to believe that Hogan had returned to the State with the especial intention of surrendering himself to the authorities, and settling his affairs. This he apparently never did, for it appears on record, under date December 28, 1859, that the Council resolved "that Malachi Fallon and Michael O'Grady be, and are hereby released as sureties on the official bond of John Hogan, late City Marshal and Tax Collector of the City of Oakland, on their paying to the Treasurer of said city all costs and charges and all expenses incurred by the said city in the prosecution of said suit and now pending in the District Court, Third Judicial District, and on the payment of such costs and expenses, the said sureties shall be released and the said action on behalf of the city be dismissed." On June 27th S. B. McKee presented his bill for two hundred dollars legal services rendered at the instance of the city in bringing suit upon the bond of Hogan, and attending to the same to the City Council, who thereupon passed the following resolution:—

WHEREAS, The City Council of Oakland did, on the 28th day of December, 1859, pass a resolution providing for the release of the sureties upon the bond of John Hogan, formerly Marshal of said city, upon certain conditions therein set forth, and on the 15th of February, 1860, passed another resolution authorizing the City Treasurer to receipt for certain costs and charges which accrued in the suit instituted by the city against said Hogan and his sureties, and it appearing that the conditions set forth in said first passed resolution have not been complied with, therefore,

Resolved, That the said resolution passed on the 28th day of December, 1859, and the said resolution passed on the 15th day of February, 1860, be and are hereby repealed.

On March 19, 1856, the City Treasurer made the following report showing the state of the city funds for the year ending March 5, 1856:—

Total amount of accounts audited, including interest on the Funded Debt of the city since the 5th day of March, 1855.....	\$8,475 66
Total amount of accounts audited by the Council and contracted before the 5th of March, 1855.....	\$1,151 62
Total expense of the Funded Debt, including interest, engraving bonds, salary of Funding Commissioners, stationery, etc.....	3,016 25
	<u>4,167 87</u>
	\$4,307 79

Leaving the actual expenses of the past year, including salaries of school teachers at the sum of four thousand three hundred and seven dollars and seventy-nine cents.

RECEIPTS.

Received from J. P. M. Davis, City Marshal and Tax Collector.....	\$3,150 00	
" " M. M. Howe, late Tax Collector, in money.....	15 00	
In scrip, and interest allowed on the same.....	1,598 00	
From Funding Commissioners—Received on bonds.....	2 02	
Received for License on Dogs.....	5 00	
" from County Treasury for Schools.....	532 24	
		\$5,302 86

EXPENDITURES.

In scrip ordered canceled Feb. 20, 1856.....	1,598 00	
Paid to school teachers	532 24	
" on general accounts, appropriated September 17, 1855.....	1,408 50	
" interest on \$21,200.00, city bonds	742 00	
		4,280 74
Total balance in Treasury.....		1,022 12
Amount of the above set apart for interest on Funded Debt.....		1,008 00
Leaving a balance of		\$14 12
Amount of property assessed the fiscal year 1855-56 is.....		\$426,577 00
" taxes on the same is.....	\$6,390 66	
Money received from Tax Collector on the same is.....	3,150 00	
Leaving a balance to be collected of.....	\$3,240 66	
Which, if collected, will leave a balance in the Treasury, after paying all expenses of the past year, interest, etc., of.....	\$216 86	

On March 12, 1869, in his message to the Council, Doctor Merritt, as Mayor, made a most exhaustive statement of the financial condition of the city. The amount in the Treasury on March 1, 1868, was six thousand two hundred and twenty-seven dollars and ninety-seven cents, while her total indebtedness reached the sum of sixty-two thousand and seventy-two dollars and ninety-one cents, but which was increased until on March 1, 1869, it reached the amount of one hundred and ten thousand four hundred dollars.

In the mean time the debt increased, and called forth the following observations from a committee appointed to ascertain the amount of such: "It is the unanimous opinion of your Committee that means must be adopted to liquidate the city's floating indebtedness that has been ignominiously brought upon her by those who were too sanguine in the rapid development of the future of Oakland, resulting in the lamentable fact that with her annual interest and municipal expenses she finds herself pecuniarily embarrassed and wholly beyond the power to honor the bills of her *employees* when they are due. Therefore it is the opinion of your Committee that immediate measures be taken to dispose of some of the city's unproductive property, and the proceeds be applied to cancel her present floating indebtedness, and again place her in a position of solvency, whereby the bills of her salaried officers would be honored and respected when presented for payment. And in order to have our municipal government respected at home and abroad, her bills must be honored, and a rigid course of economy inaugurated by all of her public servants in the future.

"Your Committee have taken under careful consideration, and have advised with his Honor, the Mayor, regarding the disposal of one or more of the public plazas, but fears are entertained that the city's power to transfer her title is so vested that it may be the entering wedge to future litigation, should the attempt be made to use them for any other purpose than that for which they were intended by the donor.

"To increase our Funded Debt seems to be at least an unwise and short-sighted policy, as the property-holders are already laboring under the oppressive weight of taxation, that no other people are, in the State, save one exception—Sacramento. We are already paying interest on one hundred and eighteen thousand seven hundred dollars, and should it be materially augmented, it is but reasonable to ask, when would our taxation be less, and when could we pay the principal unless our percentage on taxation was increased? And in view of the many obstacles that have arisen in the minds of your Committee to devise some way to pay the floating indebtedness of the city—they can see only one satisfactory way by which it may be done, and that is to have a Legislative power vested in the guardians of the city, and dispose of the City Hall, and with the proceeds pay the bills now knocking at the door of our Treasury for admittance."

According to Mayor Spaulding, and the reports of the City Treasurer and Assessor, the following will show the financial condition of the city:—

ASSESSMENT OF THE CITY OF OAKLAND.

YEAR.	TAX.	ASS'D VALUE.
1863-64	\$1.00	\$ 794,121
1864-65	1.00	970,125
1865-66	1.00	1,107,940
1866-67	.60	1,434,800
1867-68	1.00	1,832,428
1868-69	1.00	3,363,478
1869-70	1.25	4,256,702
1870-71	1.25	4,563,737
1871-72	1.25	5,300,000
1871-72	1.25	Subsequent (estimated)..... 200,000
1871-72	City Property.....	\$ 33,120
	Improvements on same.....	44,000
	Stricken from Roll.....	77,120
	Which added to.....	5,500,000
Makes a Sum Total for 1871-72.....		\$5,577,120

The Treasurer's report shows the total indebtedness of the city September 1, 1871, to be two hundred and ninety-two thousand one hundred and thirty dollars and forty cents, as follows:—

Old Funded Debt.....	\$ 18,400 00
City Hall Bonds.....	50,000 00
Carpentier's Judgment Bonds.....	16,000 00
School Bonds of 1868.....	50,000 00
New Funded Debt of 1870.....	70,000 00
School Bonds of 1870.....	50,000 00

Total amount of Funded Debt.....\$254,400 00

FLOATING DEBT.

Warrants.....	\$ 10,00 00
Salary Bills unpaid.....	11,268 26
Miscellaneous Bills.....	5,974 32
Gas Bills.....	8,616 98
City Hall Bills.....	1,870 84

Total.....\$ 37,730 40

Making the sum total.....\$292,130 40

CITY PROPERTY.

(Taken at its cost, and upon which there cannot be much depreciation in value.)

City Hall Lot and Buildings.....	\$72,000 00
School Lots	35,406 00
School Buildings.....	67,730 00
Water Front property (estimated value).....	35,000 00
Fire Department property.....	12,731 00

Total (exclusive of school furniture and other personal effects of the city).....\$222,867 00

The value of all the taxable property within the limits of the city of Oakland, as shown by the assessment for 1875-76, was twenty-two millions two hundred and seven thousand four hundred and ninety-nine dollars, the rate of taxation being eighty-eight cents on one hundred dollars' worth of property, giving a gross revenue of one hundred and ninety-five thousand four hundred and twenty-five dollars and ninety-nine cents. This tax was collected to within a few hundreds of dollars; the penalty of five per cent. being paid by delinquents having more than compensated for this deficiency.

In the beginning of the year 1876 the funded debt amounted to six hundred and sixty-four thousand four hundred dollars, on which there was interest amounting to fifty-five thousand six hundred and eighty-eight dollars per annum. Of this one hundred and sixty-six thousand dollars was incurred for the construction of the Lake sewer. The interest on these bonds was thirteen thousand two hundred dollars per annum; but these items should properly be deducted from the sums first stated, which would leave the actual debt then existing at four hundred and ninety-nine thousand four hundred dollars, on which the annual interest would be forty-two thousand four hundred and eighty-eight dollars. Thus it will be seen that the debt was but two and one quarter per cent. on the assessed value of the property within the limits of the city.

The amount of cash on hand January 1, 1875, was one hundred and twenty-seven thousand six hundred and five dollars and eleven cents.

The total amount of cash received by the Treasurer during the calendar year 1875, including the sale of Sewer Bonds, was four hundred and seventy-nine thousand eight hundred and eighteen dollars and ninety-three cents. The total amount of disbursements was four hundred and fifty-one thousand four hundred and twelve dollars and sixty-six cents; the cash on hand January 1, 1876, amounted to one hundred and fifty-six thousand and fifty-six dollars and thirty-eight cents. Besides the revenue from direct taxation, the city received thirty-two thousand nine hundred and fifty-two dollars and fifty cents from the sale of licenses; ten thousand and eighty-four dollars and fifty-five cents from fines collected in the Police Court; fifty-one thousand two hundred and twenty-six dollars and sixteen cents school money from the State and County, and for the tuition of non-resident pupils; and five thousand three hundred and fifty-two dollars and twenty-seven cents from other sources.

The current expenses for the year were eighty-five thousand five hundred and twenty-eight dollars and fifty cents; while an engine-house was erected at a cost of thirteen thousand seven hundred and thirty dollars and twenty cents. Of this state of affairs Mayor Webber says: "The existence of a debt is an evil, and can nearly always be avoided by the practice of a little self-denial. Many cities would have been pros-

perous but for such an incubus, and at this late date it is superfluous to submit the reasons that have caused so decided a change in public opinion. School houses, engine-houses, and other municipal improvements that will be needed almost every year can be paid for out of the current revenues without difficulty. There is only one contingency where the issue of bonds will be necessary. I refer to the purchase of water-works.

"It will hereafter be an easy task for the Council to continue the present healthy financial condition of the city, the difficulties that proved so formidable in the past having been removed. With no floating indebtedness, and with sufficient funds to meet the demands for the year, it would be impossible to present a more satisfactory exhibit."

In concluding the subject of city finances, we will now give a short sketch of the different city bonds.

BONDS OF 1868.—This issue was authorized by the Act of the Legislature, approved April 26, 1858, which provides for the funding of the legal indebtedness outstanding on May 1, 1858, not previously funded, and for the exchange of any unredeemed bonds issued under the Act of April, 1855. These bonds had twenty years to run, and bore interest at seven per cent. per annum, payable semi-annually in January and July. Provision was made for the interest by an annual tax on the assessable property of the city; and for the payment of the principal an additional tax, equal to one-half of the amount then outstanding, was authorized to be levied in each of the years 1876 and 1877.

SCHOOL BONDS, 1868.—Amount, \$50,000. Authorized by an Act March 13, 1868. These bonds were made redeemable at any time within ten years, and bore interest at ten per cent., payable annually in January. For the payment of the interest an annual tax was authorized, and for the redemption of the principal an additional tax not to exceed ten cents on each one hundred dollars of the assessable property of the city might be levied, the amount derived therefrom to constitute a redemption fund. Whenever the fund amounted to one thousand dollars or more, it was to be appropriated to the liquidation of the bonds at the lowest rates (not more than par value) offered by the holders thereof. Should a balance remain, it was to be appropriated to the liquidation of bonds in the order of their issue, which, if not presented after due notice, the interest thereon should cease. In each of the years 1875 and 1877 a tax was authorized sufficient to pay one-half of the amount outstanding.

CITY HALL BONDS, 1868.—Amount \$50,000. Authorized by Act March 19, 1868. Redeemable at any time within fifteen years, and bore ten per cent. interest, payable annually in January. For the payment of the interest and principal the same provisions were made as are contained in the School Bond Act of March 13, 1868, except the time for levying the tax for the final redemption, which was fixed in the years 1880 and 1882 respectively.

JUDGMENT BONDS, 1868.—Amount, \$16,000. Authorized by Act of March 28, 1868. Issued to E. R. Carpentier in satisfaction of a judgment against the city.

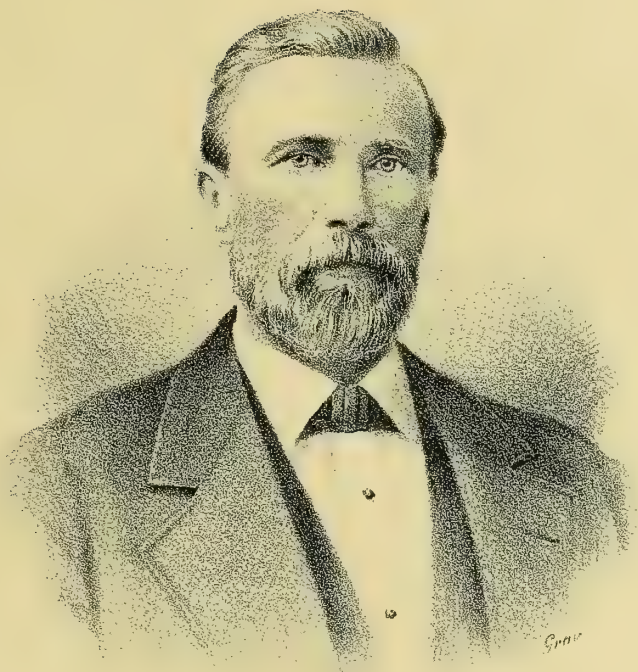
The same provisions and guarantees that are contained in the City Hall Bond Act of March 19, 1868, regulates the issue, and payment of the principal and interest of these bonds.

SCHOOL BONDS, 1870.—Amount, \$50,000. Authorized by Act March 24, 1870. Redeemable at any time within ten years, and bearing ten per cent. interest, payable quarterly in January, April, July, and October. For the payment of the principal and interest, the same provisions apply as are contained in the School Bond Act of 1868, except the tax levied for the final redemption of the bonds, which were to be made in the years 1877 and 1879 respectively.

BONDS, 1870.—(To pay certain claims.) Amount, \$70,000 Authorized by Act of March 24, 1870. Redeemable in twenty years, and bearing ten per cent. interest per annum, payable in January and July. For the payment of the interest a property tax is authorized, and for the liquidation of the principal a sinking fund is provided for the proceeds of an annual tax (to commence in 1880) of ten cents on each one hundred dollars of the assessable property of the city. Whenever this fund, after the payment of the annual interest, should amount to two thousand dollars, it was to be appropriated to the liquidation of these bonds at the lowest rates (not more than par value) offered by the holders thereof. In the event of this fund not being exhausted after a stated time, the balance shall be appropriated to the payment, at par, of the bonds in the order of their issue, which, if not presented at due notice, the funds for the payment of the same shall remain in the Treasury, and the interest thereon cease from that date.

SCHOOL BONDS, 1872.—Amount \$50,000. Authorized by Act, March 18, 1872. Redeemable in twenty years and bearing eight per cent. interest, payable in January, April, July, and October. For the payment of the interest a property tax is authorized, and for the liquidation of the principal a ten per cent. tax is provided for, to commence ten years from the issuance of the bonds, the amount from which shall constitute a Redemption Fund. When this Fund amounts to one thousand dollars or more, it shall be appropriated to the liquidation of the bonds at the lowest rates offered (not above par). Should there not be a sufficient amount of bonds offered to exhaust this fund, the Council may again advertise as before. All moneys remaining in this fund, together with a property tax to be levied in 1891, sufficient to pay the balance of the principal unpaid, shall constitute the final Redemption Fund.

BONDS, 1872.—(For municipal purposes.) Authorized by Act March 27, 1872, (amount \$80,000), redeemable in thirty years, and bearing eight per cent. interest, payable in January, April, July, and October, commencing with October, 1872. For the payment of the interest, an annual property tax is authorized, and, for the payment of the principal, an additional property tax, to commence in 1893, is provided for, of ten per cent. on each one hundred dollars, to create a fund for the redemption thereof. On February 1, 1893, and annually thereafter, when there are more than two thousand dollars over the amount sufficient to pay the interest due on the following April and July, it shall be appropriated to the liquidation of the bonds at the lowest



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rates offered (not above par). If the amount be not exhausted after a stated time, the balance shall be appropriated to the payment, at par, of the bonds in the order of their issue, which if not presented after due notice, interest thereon shall cease.

OAKLAND BAR BONDS.—By an Act approved March 28, 1868, an issue of bonds of \$15,000 is authorized, the proceeds to be applied toward removing obstructions at the mouth of the San Antonio Creek, so as to render the same navigable. The Council are, in addition, authorized to raise annually, by taxation, a sum not to exceed five thousand dollars, to be applied to the same purpose. These have been issued and redeemed.

MAIN SEWER BONDS.—Authorized by Act of March 23, 1874, payable in ten years, and bearing interest at the rate of eight per cent. per annum.

"FLOATING INDEBTEDNESS" BONDS.—(\$100,000.) By the "Act to provide for the Liquidation of the floating Indebtedness of the City of Oakland, and to prevent the incurring of farther Debts," approved March 30, 1874, the City Council are authorized to issue and sell bonds of the city of Oakland to the amount of one hundred thousand dollars, redeemable July 1, 1905, and bearing interest at the rate of eight per cent. per annum, payable on the second day of October, January, April, and July.

SCHOOL BONDS, 1874.—(\$100,000.) Under provisions of the Act passed March 30, 1874, the City Council of Oakland were authorized to sell and issue bonds to the amount of one hundred thousand dollars, payable July 1, 1905, and bearing interest at eight per cent. per annum, for the purpose of redeeming the bonds issued under the Acts of March 13, 1868, and March 18, 1872.

WATER BONDS.—By the Act entitled "An Act to authorize the City of Oakland to obtain a supply of Water," approved March 30, 1874, the Board of Public Works were empowered to issue bonds of the city of Oakland, payable July 1, 1896, to the amount of eight hundred thousand dollars. No definite action has as yet been taken by the Council to avail itself of these privileges.

BONDS OF 1882.—(\$167,000.) On June 19, 1882, the City Council were authorized to issue bonds to the amount of one hundred and sixty-seven thousand dollars, under provisions of Cap. 6, Tit. 3, Pt. 4, of the Political Code, to be redeemed October 1, 1895. This is the last mention of bonds we have up to the present time in the history of the city of Oakland.

On September 14, 1853, an ordinance was passed establishing a Police Department for the town of Oakland, the first step taken for officially placing the town under official care. On the 15th October, John McCann appears as Chief of Police for the first time, and on the 18th "An Ordinance supplementary to an Ordinance to organize a Police Department for the Town of Oakland," was passed. On the 5th November provision was made for the erection of a station-house; and, on November 12th, the pay of regular policemen was fixed at one hundred and fifty dollars per month, during the time they actually served, while, on December 24th, seventy-five

dollars was allowed for policemen's badges, and thus we have the pristine guardians of Oakland's peace *en grand tenue*.

The next we learn of police matters is from the message of Mayor Carpentier, dated April 29, 1854. He says to the Council: "The passage of proper police regulations and the organization of a proper Police Force, I deem indispensable. Situated as is Oakland, within so short a distance, and almost forming a part of, the great commercial metropolis, it is to be anticipated that criminals, unless prevented by fear of detection, may infest our city." On May 6th of that year, John Hill was elected Captain of Police, and R. W. Kellogg and William McCaw, policemen.

It is to be inferred, for the records show nothing to the contrary, that some kind of a police organization existed during the decade between 1854 and 1864. On the 25th October of that year an ordinance was passed establishing a Police Force which had general supervision over all the city. On May 18, 1867, Oakland was divided into police districts, however, and a system of routine inaugurated; while, on the 25th May, the Police Commissioners, who then had the regulating of the force, were authorized to employ special policemen on Sundays, or when required, a measure consequent of the number of roistering visitors to the sylvan shades of this side of the bay on holidays.

It was not until October 4, 1869, that the office of Captain of Police was created, F. B. Tarbett being appointed thereto on the 11th of the same month. The force from this time has been in a high state of efficiency and a credit to the city, whose highways are as safe during the darkest night as at noonday, a convincing proof that the criminals who are so active in the metropolis have a wholesome dread of crossing the bay to carry on their nefarious practices in Oakland.

On May 28, 1877, an ordinance was passed for the uniforming of the Police; while, on October 3d, at a special meeting of the Council, consequent upon the death of Captain of Police Rand, the following resolutions were unanimously passed:

WHEREAS, By the stern decree of Divine Providence, D. H. RAND, late Captain of Police of this city, has left for that "bourne from whence no traveler returns," it is due to his memory that this "sprig of green" be *in memoriam*. Whatever he did was done well; nothing was left undone that could be consummated; he shirked no duty, dared to face danger, and his hand went quickly out to arrest the violator and disturber of the law; in every sense of the term he was a true citizen and a bold exponent of the right. In his loss the Police Department of this city has been bereft of a competent director; this city an upright official and useful citizen; and his family a beloved husband and father. To his widow we offer every consolation which humanity can give, and we would extend to her this truth, and that to the memory of her late husband, "Well done, thou good and faithful servant." And be it further

Resolved, That the Council and city officials attend his funeral in a body, together with the Police Department of the city. And be it further

Resolved, That this preamble and these resolutions be spread upon the Minutes of the Council, and the City Clerk transmit a copy thereof, under the seal of the city, to the widow of the lamented departed.

His Honor, Mayor Pardee, then addressed the Council as follows:

MR. PRESIDENT AND GENTLEMEN OF THE COUNCIL: It is with a feeling of sadness that I rise to speak of one whose many virtues you all do know. Captain Rand has been taken from us by the cold, icy hand of death, and he now sleeps in the arms of eternal happiness and peace. That majestic form that was so well known, and was a harbinger of peace wherever he was, will be seen no more. His voice is hushed, and the eye that beamed forth with electrical sparks of good-will toward all mankind is now closed forever. The city of Oakland has lost a good and faithful officer, and we, as their representatives, a warm-hearted and genial friend. Captain Rand had his peculiar idiosyncrasies of temperament; his heart was illuminated from the lamp of goodness, and the soul and pride of his ambition was to do good, always believing that it was better to err on the side of mercy and poor, suffering humanity than to have the applause of the whole world and the sting of consciousness of having done a

wrong whereby the heart of man would be made heavy and despondent. His test of Christianity was: "Do unto others as you would that they should do unto you."

1854.—We have already stated that the native Californian continued his national pastimes after the occupation of the country by Americans, and Sunday being the day on which they kept their fandango houses open and fought wild bulls in the arena, the better thinking of the citizens thought that to carry out their early training these amusements should be stopped, therefore they petitioned the Trustees, February 4, 1854, that these should be suppressed; consequently, ordinances were passed for that purpose on that date.

On February 11, 1854, the Board of Trustees employed E. R. Carpentier to defend certain injunction suits, brought by John C. Hays and others against John Hogan, Town Marshal, to restrain the collection of town taxes, at a price not to exceed one thousand dollars. The service was rendered, and a warrant for the payment of the stipulated price was issued. Other legal services were performed, and other claims accrued; and claims being made which were thought unjust and unfounded, the payment was resisted, and litigation continued from 1854 until 1868, when, in the Twelfth District Court, judgment was rendered for fifteen thousand two hundred and twenty-five dollars and eighty-eight cents, debt and damages, and costs and disbursements, and percentage allowed by law; the amount of the judgment to bear interest at the rate of ten per cent. per annum. On August 17, 1868, the City Council adopted a final resolution authorizing the City Clerk to issue to Edward R. Carpentier, bonds to the amount of sixteen thousand dollars, in satisfaction for the judgment held by him against the city of Oakland, and thus terminated a series of lawsuits which had been maintained for fourteen years.

On March 25, 1854, the Act giving to Oakland the distinction of a city was passed, its government being vested in seven Councilmen to constitute a Board to be known as the City Council; a Mayor, an Assessor, a Treasurer to be *ex officio* Clerk of the City Council, and a Marshal. The Mayor, by the provisions of the bill, was to be elected for one year, and the rest of the corporate officers for two years, "*provided*, that at the first election the three Councilmen of the seven elected, having received the least number of votes at the election, shall be elected and hold their office one year." Section four of the charter fully enumerated the powers and duties of the Council. The election was duly had, and, on April 17, 1854, at a meeting of the Council held under the new Charter, Alderman Blake in the chair, the returns of the election were canvassed. Let us give the names of the competitors; it may refresh the memories of those now remaining:

MAYOR.	VOTE	TREASURER.	VOTE	MARSHAL.	VOTE	ASSESSOR.	VOTE
H. W. Carpentier...	192	J. R. Dunglison.....	121	J. Hogan.....	144	J. S. Tubbs.....	181
S. J. Clark.....	93	T. Gallagher.....	82	J. Brown.....	86	H. Douglass.....	83
Z. Gower.....	44	W. H. Baxter.....	82	W. Hillegass.....	129	L. N. Crocker.....	72
B. F. Ferris.....	29	H. Horton.....	69	— Pond.....	1	W. W. Nicholls.....	7
P. Rosasco.....	1	E. Gallagher.....	1	— Baar.....	2	J. R. Dunglison.....	3
S. B. Bell.....	1	— Donaldson.....	1	F. Johnson.....	1	H. Horton.....	1
J. Hogan.....	1	J. Hogan.....	1			M. D. Cassin.....	3
						Wm. McNair.....	1
						— Brown.....	2
						S. B. McKee.....	1
						H. W. Carpentier....	1

ELECTION RETURNS, CONTINUED.

CITY COUNCIL.	VOTE	CITY COUNCIL.	VOTE	CITY COUNCIL.	VOTE	CITY COUNCIL.	VOTE
E. Gallagher.....	289	J. E. Whitcher.....	33	Wm. Card.....	3	H. W. Carpentier....	1
G. M. Blake.....	230	A. M. Brocklebank...	19	Chas. Stewart.....	41	H. Simon.....	1
A. D. Eames.....	225	Geo. Collee.....	13	Wm. McCann.....	1	S. Bell.....	1
John Kelsey.....	219	Col. E. Davis.....	14	T. Conolly.....	42	T. Gallagher.....	3
W. C. Josselyn.....	151	L. Johnson.....	66	E. Johnson.....	1	-Blakesley.....	1
A. Marier.....	141	Wm. McNair.....	43	T. Holden.....	1	A. Monroe.....	1
N. J. Thompson.....	98	Wm. Harwood.....	15	J. W. Taylor.....	1	W. R. Russell.....	1
F. J. Mette.....	101	A. R. Simons.....	77	G. Aldrich.....	1	M. A. Moon.....	2
S. B. McKee.....	101	G. Fogg.....	6	John Woolsey.....	3	G. M. Blake.....	1
G. H. Monroe.....	38	L. N. Crocker.....	3	A. Durant.....	1	E. G. Jacobus.....	0
A. D. McDevitt.....	75	.....	.....	.....	.....	.....	.....

The total number of votes cast was three hundred and sixty-eight. At the same meeting Mr. Gallagher was elected President of the Council, and on the 18th April the bonds of the officers were fixed as follows: Treasurer, twelve thousand dollars; Marshal, twelve thousand dollars; Assessor, three thousand dollars. On the same date Samuel J. Clark gave notice that he would contest the election of H. W. Carpentier, but nothing would appear to have come of this action, for we know that that gentleman remained in possession of the civic chair. On April 22d voluminous rules, regulation, and by-laws for the guidance of the City Council were adopted.

Upon their assumption of office the first City Council would appear to have experienced considerable difficulty in obtaining the funds of the city in the hands of the late Town Marshal amounting to a balance of six thousand dollars. On April 21, 1854, City Treasurer Dunglison addressed a communication to John Hogan, formerly Town Marshal, requesting the payment of all moneys belonging to the town or city of Oakland, as well as the delivery of all documents, papers, vouchers, etc., belonging to the Treasury of Oakland, to which that official replied: "The money realized from the tax sale in question has been attached in my hands by J. C. Hays, J. K. Irving, Treasurer, and others, on the ground of fraudulent assessment, and I cannot give up the money until I see myself clear." Upon the receipt of this communication Treasurer Dunglison reported to the Council for their information, and requested them to require the late Marshal to deliver the said funds over to the City Treasury, or to require him to give equal bonds (twelve thousand dollars) with the Treasurer. He further stated: "The trial has been postponed until some time in May next, and without some action on the part of your Honorable Board, it is to be presumed that many months will elapse without the city being allowed *even* the use of the public money."

Considerable discussion thereafter ensued as to if the Marshal had a right to retain these funds, while, a Special Committee was appointed to investigate the matter and to ascertain the most sure and speedy method of obtaining the money from its holder. These gentlemen, under date April 29th, reported that "Marshal Hogan refuses to deliver the money in his possession until such time as the City Council shall give personal security for the amount and costs of suit in the case of J. C. Hays *et al.*, pending against him."

In his message of April 29, 1854, Mayor Carpentier says: "First among these

[certain interests] is the subject of Finances. The exact financial condition of the city as successor to the rights and liabilities of the town of Oakland I have not ascertained, but to say that the taxes of last year when fully collected, would, if applied to that purpose, pay off and discharge the existing indebtedness of the city, will be found to be approximately correct. During the two years of doubtful experiment in which your predecessors in office so economically administered its municipal affairs, Oakland has grown from a mere collection of half a dozen houses to its present proportions of promise. That they have been able to manage the public business of the town during this period with the levy of but a single tax, and that they now transmit it free from onerous embarrassment is alike complimentary to them and the citizens at large. Abstractly considered, taxes are an evil; but if it be possible, as is sometimes the case, in the early history of municipalities, by the collection and prudent expenditure of a tax of even three or four per cent. upon the assessed value of property, to increase its marketable value twenty-five per cent., then taxation becomes a benefit and an act of wise legislation.

"You are limited by the charter to a tax for all purposes of one and a half per cent. The valuation of property within the city cannot greatly exceed two millions. On this the extreme tax would be but thirty thousand dollars. Add to this the several amounts that will be received from the percentage on wharfage and ferries, from license taxes and municipal fines, which are believed to constitute the only sources of revenue under the charter, and you will have a sum wholly inadequate to the necessities of current expenditure.

"And in this connection your attention is called to the suits now pending against the City Marshal.

"To avoid the payment of a fair and uniform tax for school purposes, levied by the town, under the former charter, and the collection of which the Marshal was proceeding to enforce, the passage of the present charter was urged upon the Legislature by non-resident claimants and their agents; fabricated petitions were presented, purporting to be signed by a thousand citizens of Oakland, and the feelings and wishes of the people grossly misrepresented. Hence that extraordinary provision in the nineteenth section of the charter, which was intended to operate as a legislative injunction, and to bar the collection of taxes. Prior to this, two injunctions had been procured from two different courts and had been dissolved on application, and the suits dismissed. The greater portion of these taxes, however, has been finally collected and the Marshal will be directed to proceed forthwith to collect the balance which remains unpaid. These vexatious lawsuits have been brought anew by residents of San Francisco who became purchasers at the tax sales, to recover, on the ground of alleged irregularities in the assessment, a portion of the moneys collected and which are now in the hands of the Marshal, awaiting the disposition of the City Council.

"As the grounds now taken have already been decided favorably upon to the city, in the dissolution of the injunctions above referred to, I recommend that these suits be defended by the city, and that counsel be employed for that purpose. These difficulties and struggles to resist contributions towards the support of the best interests of the city, I am happy to say do not originate with, and are not participated in, by the people of Oakland, and I rely upon the good sense of our citizens to

aid by any means in their power the officers charged with that duty in the collection of such taxes as may from time to time be imposed, and to resist any and all attempts on the part of non-resident adventurers and speculators to embarrass and cripple the affairs of the city.

"It is to the prompt payment of taxes mainly that we must look for the organization and support of a Fire Department, of a Detective Police, of Free Schools—that institution more promotive of morality and good order than all penal laws combined—and of the various public improvements which are indispensable to the prosperity of the city. If you would avoid the creation of a public debt, with depreciated scrip every cent of which must finally be paid by means of taxes, and which will in the mean time rest like an incubus upon the city, your only resource is judicious taxation.

"The subject of licensing trades and occupations will come before you. The charter provides that 'licenses shall be discriminating and proportionate to the amount of business.' I suggest therefore that the various branches of business be classified according to the monthly receipts, so as to make the license tax as nearly uniform as possible. The system of taxing legitimate business and labor is essentially wrong and can be justified only by necessity. I recommend therefore that the city licenses be fixed at the lowest rates consistent with the condition of the Treasury.

"Your power, under the charter, to contract debts and to loan the credit of the city is unlimited—a power not a little dangerous to be vested in a Municipal Corporation, and wholly inconsistent with our State Constitution; but I have no doubt that a discriminating regard for the welfare of the city will incline you to caution in its exercise."

On May 6, 1854, the late Marshal requested that he be empowered to employ counsel to defend the suits instituted against him on the ground of irregularity in assessment, a matter that was referred to a committee, who, May 10th, recommended that the Council should assume the responsibility of paying to him such moneys as it shall be absolutely and actually necessary for him to pay out in the carrying on of these suits, but subject to the auditing and approval of the Council. On June 17th, in accordance with section six of the charter, the City Treasurer presented the following report, which was referred to the Committee on Finance: "The total amount of money received by me up to the present time is twelve dollars and seventy-five cents. This sum was handed over by L. Coburn, late Town Treasurer on the 27th of May, as being the balance of the town funds remaining in his hands. The cash expenditures during the same period were nothing, and for the indebtedness incurred I must delay mention until the next meeting. The fines levied upon prisoners I have not received a cent of as yet, and would request your Honorable Body to pass some resolution making it incumbent upon the parties concerned to pay the money into the Treasury weekly. I would also respectfully state that the police books of the former administration have fines recorded to the sum of between two and three thousand dollars, paid in to the Justice of the Peace, but which sum has never been paid into the Treasury; whether these sums were for city or county crimes I cannot determine, but they still remain in the police books." The following will show what the receipts and disbursements for the first three months of the city's existence were, from May 21st to August 21st.

RECEIPTS.		EXPENDITURES.	
Bal. from L. Coburn, late Town Treasurer..	\$ 12 76	Criminal Docket for Mayor's Office.....	\$ 2 00
Tax on dogs, for Quarter ending Sep. 20, 1854	69 00	Fuel, lights, etc.....	35 12
Rec'd from J. Hogan, City Marshal, on acc't of taxes collected on assessment for 1853 and 1854.....	1,313 65	Capt. Hill, for sustenance of prisoners.....	31 00
Rec'd from H. W. Carpentier, percentage on wharf receipts.....	44 44	Alteration of City Seal.....	5 00
Fines collected, from Justice Robinson.....	16 00	Stewart's bill for stove, etc.....	22 00
License for Dance House on Broadway and Tenth Streets.....	30 00	L. N. Crocker, for furnishing City Hall.....	198 00
Scrip rec'd from John Hogan, City Marshal on acc't of taxes collected on assessments for 1853 and 1854, issued to Miss Jayne for School purposes, Jan. 2, 1854.....	450 00	Carrell, for Spanish translation of assessment list.....	40 00
Interest on same @ 3% from Jan. 1854 to July 1854.....	93 50	Policemen, on acc't of salary.....	225 00
Forfeited bail of M. Wild, from Capt. Hill..	10 10	Printing ordinances in <i>Express</i> , etc.....	65 00
Total Cash.....	\$1,495 95	Inspectors, etc., at Charter Election, April, 1854.....	45 00
		Stationery, etc.....	19 00
		Total Expenditures.....	\$687 12

RECAPITULATION.

Total Cash.....	\$1,495 95
Total Expenditures.....	687-12
Balance.....	\$808 83
Total Scrip.....	543 50
Balance on hand.....	\$265 33

The following report from the City Treasurer will explain the position between that official and the Marshal on October 21, 1854: "To avoid any misunderstanding or accident, I respectfully make the following statement: Having occasion to pay sundry bills by order of the Council I called on the City Marshal to-day for the amount of taxes collected on the present assessment roll. His answer was that he should not pay over any of the funds on hand until the entire taxes were collected. I would respectfully request that an order be issued to the Marshal directing him to pay over without delay all moneys in his hands belonging to the city. The additional bond of five thousand dollars, ordered by the ordinance providing for the levy and collection of taxes, has not yet been filed, and I regret to say that the original bond of the Marshal filed upon his entering upon the duties of his office, in April last, is not now in the archives. By an unlucky mistake the bond was some time since given to Mr. Hogan in place of his certificate of election. I discovered the mistake on the following day and requested its return. This request has been repeated several times, but without effect, and a day or two since Mr. Hogan informed me that he had lost the bond from his pocket-book, with other papers. This unfortunate mistake and the non-fulfillment of the Marshal in filing the additional bond leaves the city without any security for the amount collected on the two assessments, and as I have been partly at fault in the matter I would request that immediate action be taken in the premises. I would also state that as the Marshal has considered it within his province to pay out sundry amounts before the money has been placed in the City Treasury, I shall be under the necessity of refusing to pay out any funds until it is definitely settled who is the City Treasurer and what are the duties of his office, as well as of the City Marshal."

On receipt of this communication the Clerk was directed to write forthwith to

the Marshal and request his presence before the Council, while, a resolution was passed instructing that officer to suspend all collection of taxes until such time as a new bond should be filed, or until the old bond was produced, together with the additional bond referred to above. In addition to these, on November 6th, he was directed to make a full report of all moneys belonging to the city received by him; all moneys in his possession, and all moneys paid over to the Treasurer. These instructions he apparently treated with the supremest indifference. We find, on November 9th, the following proceedings were had in the Council: Proposed by Alderman Eames, and

Resolved, That the Clerk be instructed to notify the Marshal that the Council are aware that there are parties in this city who have not been assessed, and for that reason they wish the Assessor's books to be forwarded to the Council Room immediately, that they may order a supplementary assessment, and the Marshal is hereby instructed to appear immediately before the Council with all the books belonging to his office as Marshal.

Alderman Kelsey then moved that the Marshal be invited to explain everything not appearing satisfactory to the Council, which was carried. Next, on motion of Alderman Marier, the Marshal was instructed to procure his books and bring them before the Council forthwith. Alderman Eames then moved that the Council appoint a Sergeant-at-Arms, *pro tempore*, to procure and produce the books from the City Marshal, which was lost. Considerable discussion thereafter ensued, in the midst of which a communication was received from the City Marshal, when it was moved by Alderman Eames that "the Council adjourn." Alderman Marier then moved that a Constable be appointed this evening to procure the books from the Marshal. This resolution being carried, the same gentleman moved that L. N. Crocker be appointed Constable, which was, however, withdrawn. At this stage of the proceedings a communication was received from the Marshal, after which the following resolution proposed by Alderman Marier was carried.

WHEREAS, JOHN HOGAN, Marshal of the city of Oakland, has refused to obey the order of the City Council of said city, to produce the books of assessment of property within the corporate limits, which order was made for the purpose of correcting said assessment and adding thereto the assessment of property which has been therein omitted and neglected.

Resolved, By the City Council of the city of Oakland, that the said JOHN HOGAN be suspended from the exercise of the functions of Marshal of said city until a further and full investigation of said charge of disobedience of orders and neglect of his duties can be had, and further, that the said JOHN HOGAN be commanded to appear before the City Council of Oakland on Saturday next, 11th November, at seven o'clock, P. M., and that the Clerk be instructed to forward a copy of this resolution to JOHN HOGAN, City Marshal.

These proceedings had the effect of producing from that contumacious official the following terse report: "The amount received by me for city taxes is, total, three thousand five hundred and twenty-seven dollars and twelve cents. The amount paid over to the City Treasurer, is six hundred dollars." From the foregoing facts it will not astonish the reader that on the morning of December 15th, it was officially notified to the Council by the Mayor, who inclosed an affidavit of Michael O'Grady to the effect that the Marshal had levanted. The Mayor's message reads: "From the accompanying affidavit which has been laid before me, it appears that John Hogan, late Marshal and Tax Collector of the city, has absconded, carrying with him the funds in his hands belonging to the city. From all the data I ascertain that he had in his possession about ten thousand dollars belonging to the corporation. Considerably more than half of this amount is in litigation, and was retained by him subject to the



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decision of certain suits brought by Edward and Rodmond Gibbons, John C. Hays and others for the recovery of moneys paid as taxes to the town of Oakland, and which are still pending in the Supreme Court. But for these vexatious suits the moneys would doubtless have been long since paid over and applied by the city to its convenient uses. A portion of the taxes for this year were collected in warrants drawn on the City Treasurer, which, as that officer informs me, have been turned over to the Treasurer and duly canceled. And I am happy to be able to state that the bonds of the defaulting officer are amply sufficient to cover the entire sum embezzled and are signed by well-known and responsible citizens. It will be for the City Council to take such steps as they may deem prudent in the premises, and I recommend that measures be taken without delay to secure the arrest and conviction of the offender." Upon learning of the malfeasance, and in accordance with the Mayor's suggestion, the Council then passed the following:—

WHEREAS, It has appeared to the Council that JOHN HOGAN, City Marshal and Tax Collector, of the city of Oakland, has absconded from the city, and it is believed, the State, with funds belonging to the city, therefore,

Resolved, That the sum of two thousand dollars is offered for the apprehension of the said Hogan and the delivery of his body to any Constable or Sheriff in the County of Alameda, State of California.

This resolution was published in the papers of San Francisco and surrounding counties. In the meantime a special Committee of three was appointed to investigate his affairs, with power to employ counsel to aid them in endeavoring to recover either from his effects, or from his sureties, the amount of their obligations caused by his absconding; it was therefore, January 10, 1855,

Resolved, That S. B. McKee be employed as Counsel for the city of Oakland to confer with the Committee appointed to investigate the matters relating to the absconding of the late Marshal, HOGAN, and take such steps and legal proceedings which said Committee will think proper.

Here we will let the matter rest for the present.

On November 11, 1854, Mayor Carpentier vetoes the ordinance entitled, "An Ordinance for reducing the Assessment upon the Lots and Blocks owned by John C. Hays, John Caperton, Edward Jones, William B. Dameron, the Heirs of J. A. Cost, James M. Goggin, J. M. Calleyo, Joseph Black, and Joseph K. Irving, deceased," and gives very lengthy reasons for so doing; while, on December 9th, in accordance with a resolution calling upon the City Marshal to make a report on the taxes collected by him, the following was presented:—

Amount of taxes received this fiscal year, 1854-55, amount in full to the sum of.....	\$9,430 69
The amount of scrip received for taxes.....	3,307 30
Cash paid the City Treasurer.....	600 00
Paid E. R. Carpentier, by order of Council.....	200 00
My legal fees for collecting....	843 07
	<hr/>
	\$4,950 37
	<hr/>
	\$4,480 32

We do not know how these figures were obtained, but the above is a verbatim copy of the entry as it appears on the minutes of the Council. The Marshal goes on to say: "There now remains in my hands belonging to the city, collected this fiscal year, 1854-55, to the amount of four thousand four hundred and eighty dollars and eighty-two cents." On January 27, 1855, the City Treasurer makes his report, which is referred to the Finance Committee, who, on reporting upon it, together with the

auditing of the account and charges set forth in said report, as well as the financial affairs of the city submitted: "That on the 30th day of January, A. D. 1855, said Committee served a written notice on the Clerk and Treasurer, J. R. Dunglison, requesting and requiring him to meet said Committee on the 30th day of January, A. D. 1855, at one o'clock, P. M., at the Council Room, for the purpose of investigating the financial condition of the city, and the inspection of vouchers (if any) for the accounts and charges set forth in said report.

"SECTION TWO.—That said Dunglison, Treasurer and Clerk, refused to meet said Committee, alleging as a cause that he would not meet said Committee if A. D. Eames, Chairman of said Committee, should be there, and for further excuse said he had business in San Francisco, wherefore your Committee could not make the investigation required. Your Committee would further say that they met this afternoon for the purpose of making the investigations above mentioned and requested said Clerk and Treasurer to meet said Committee, but he refused, so that your Committee could not inspect the books and record, and consequently are unable to make the report desired. The Committee also accompany this report with the amount of receipts given by said Treasurer to John Hogan, late City Marshal, for moneys, which are said to be in his handwriting." Mr. Dunglison was thereupon suspended from office.

By a singular oversight at Washington, Oakland was excluded from the postal routes in California, and although a post-office was early established, the mail service was, even in 1854, kept up by private subscription: this mistake, however, was soon rectified until now she is well served in that particular.

On Saturday, September 16, 1854, *The Contra Costa*, a newspaper published by J. R. Dunglison & Co., and edited by Mrs. S. M. Clarke, made its first appearance. From its columns we glean that a duel was fought in the environs of Clinton, on the morning of September 21, 1854, between Messrs. Dorsey and Bevin, of Los Angeles, both of whom were wounded. It would appear that Sheriff Simmons, of Oakland, had been informed of the intended meeting but did not arrive in time to prevent the exchange of shots. He afterwards arrested some of the parties and took them before Justice Ferris of Oakland; but no one appearing against them they were discharged. Indeed, this was the day of duels, for not long after the meeting mentioned above an affair of honor was had between Achilles Kewen and Colonel Woodlief. The weapons used were rifles, and the latter was shot through the heart. The origin of the affair was as follows: On the evening of Thursday, November 8, 1854, Mr. Kewen, at the time not perfectly sober, was engaged in a little war of words with an acquaintance in the "Blue Wing" saloon. The acquaintance said he was a Know-nothing; Kewen said that, for himself, he was the son of an Irishman. The other replied that he was none the better for that; to which Kewen replied that his father fought at the battle of New Orleans. The other asked, which side? At this Kewen got angry, and was speaking in a violent tone, when Colonel Woodlief came up (they were friends) and led him away, saying, he was wrong, to which Kewen retorted that he was not. Woodlief repeated the expression; Kewen said he was not, and he would consider a repetition of the assertion an insult; Colonel Woodlief repeated it, and Kewen, raising his hand, gave his friend a slight blow upon the mouth. The next morning Woodlief

sent a challenge; Kewen sent it back with a straightforward apology upon it. Woodlief refused to accept it, saying that the offense was given in public and the apology, to be satisfactory, must be given in public likewise. Kewen refused to give a public apology, and hence the duel. Colonel Woodlief, who came to California in 1849, was born in Greenville County, Virginia, from whence he moved to Texas twenty years before. He was a Colonel in the Texan army, was subsequently one of the Texan Rangers, and during the Mexican War accompanied the American army as a volunteer. He had been engaged in many duels, being often desperately wounded. At the time of his death, he carried three bullets in his body. He left a wife, who accompanied him as far as Oakland on his last and fatal journey.

In November, 1854, the Right Reverend Bishop Kip made arrangements to have Dr. Carter's large and commodious hall fitted up as a temporary Episcopal church, and perform the duties of pastor himself. The building was located on Broadway. Saint John's Episcopal Church, however, was organized in June, 1852, and is the oldest church foundation in the city, except the Roman Catholic. Let us briefly tell the history of that structure. In 1852, when Oakland was less than a village, having but half a dozen houses in it, two Episcopalian families met and worshiped unitedly, and thus continued till a member of one of the families fell dangerously ill, when the little *coterie* ceased to meet. About a year later, the Rev. Dr. Ver Mehr, then Rector of Grace Church, San Francisco, visited Oakland, and a meeting of twelve persons was with difficulty convened. Towards the close of the year 1853, an Episcopal clergyman, Rev. Mr. Morgan, appeared on a bright Sunday morning and read the prayers and preached under the branches of one of Oakland's shady trees, with a glad zeal, reminding us of apostolic times, when the people of Antioch, in Pisidia, begged Saint Paul to preach to them the same words. The next Sabbath-day the little flock in Oakland determined to have a covered church of some kind ready for the preacher ere the following Sunday. A large tent, twenty-five by seventy feet, was accordingly erected, a communion-rail put up, a temporary pulpit contrived, and a few benches arranged in the body of the tent. A cross outside designated the object of the building. But when all things were ready, to the disheartenment of those who thirsted for the glad tidings of salvation, through some accident the clergyman came not. "Is there no minister present?" was the question asked by all. The Rev. Mr. Walsworth, afterwards head of the Pacific Female College, then stood up, and said, "I am a minister but not an Episcopalian. I am a Presbyterian, and will preach to you if you desire me to do so." His offer was joyfully accepted and a collection of nineteen dollars taken up. Next day the tent and all the seats were bought by the Presbyterians, which was the origin of that branch of Christ's Church in Oakland, who called as their first pastor, Rev. Sam. B. Bell. Episcopacy, however, is not easily discomfited, for its "foundations are upon the holy hills," and its teachings are broad as the commandments of God, and are deeply planted in the hearts of its people. Another Episcopal minister, Rev. Mr. Reynolds, preached to a feeble congregation for three Sundays, and on November 15, 1854, Bishop Kip celebrated Divine service in a room provided for the purpose. It is best that Paul should plant before Apollus begins to water, and the presence of the Bishop gave at once a reality and an impulse to the discouraged work. He preached to a numerous and attentive audience, and

the hopes of Episcopalians took a fresh start. A missionary to the Chinese, Rev. E. W. Syle, arrived in January, 1855, and at the request of the residents and upon the recommendation of the Bishop, became acting Rector of the embryo parish, in combination with his special mission. At the regular service on Sunday morning, January 7, 1855, fourteen persons were present. The first communion was celebrated on Sunday, February 4th, when eleven persons partook of the sacred rite with the Rector. On the 1st March, a few of the residents of Oakland, viz.: Messrs. Carter, Daniell, Suewrktop, Compton, Washington, and Gallagher met and associated themselves together for the purpose of organizing the parish, and on the 5th another meeting was held at which Dr. M. Carter, E. A. Suewrktop, and Dr. R. Washington were elected Trustees of the same. The necessary papers were then forwarded to the County Clerk and the proper record made on March 27, 1855. At the Diocesan Convention held in San Francisco in May, 1855, the parish was represented by Dr. Carter and Andrew Williams, Esq. It was admitted into convention, but owing to various circumstances it was not until the 8th of August following that a constitution and by-laws were finally adopted. The names of the wardens and vestry, when their full number was completed, were as follows: E. A. Suewrktop, Senior Warden; D. Carter, Junior Warden, and Clerk of the Vestry; R. Washington, Andrew Williams, and John Schander, Vestrymen. A rented room, twenty-five by thirty feet, which had been a drinking-saloon, on the southwest corner of Seventh Street and Broadway, was fitted up with chancel, benches, etc., at an expense of about one hundred and fifty dollars. This sum was liquidated by donations and subscriptions, but eighty-five dollars remained unpaid at the end of the year, on the score of the first three month's rent. The current expenses were met by collections made every Sunday. The cross over the chancel of St. John's was originally erected over the altar in this room. The Rev. Benjamin Akerly, D.D., was called as Rector of St. John's parish, March 1, 1858, since when he has ministered to its duties in such a manner as to cause him to be respected by all creeds and classes.

In the month of November, 1854, the foundation of a Baptist Church was laid in Oakland under charge and ministerial care of the Rev. Mr. Willis, a highly finished scholar and accomplished gentleman.

1855.—On the night of January 23, 1855, it would appear that an attempt was made to destroy the records of the city of Oakland, a proceeding that brought the City Council together on the following day, when the accompanying resolution was passed, that,

WHEREAS, An attempt was made on the night of the 23d day of January, 1855, to destroy and abstract the records of the city of Oakland, or a portion thereof, therefore be it

Resolved, That the Committee of the Whole investigate the matter, and the cause thereof, if any. That the Clerk and Treasurer of said city be instructed to assist the said Committee in all matters pertaining thereto, in his power. That said Committee report at the next meeting of the Council.

Another session was had on the 27th, when the annexed resolution was carried:—

WHEREAS, An attempt has been made to destroy the public archives of the city of Oakland and to burn the Hall of said city; therefore be it,

Resolved, That the sum of one thousand dollars is hereby offered by the city of Oakland for the arrest and conviction of the person or persons that committed the above offenses.

It would appear as if the records of the city were a source of great anxiety to the Aldermen of the period for, on March 31, 1855, they

Resolved, That the Clerk of this Council be, and he is hereby instructed to demand from H. W. Carpentier, and from any and all persons having possession and control thereof, the book containing the Ordinances and Proceedings of the late Trustees of the town of Oakland, the Scrip Book, so called, being the records of scrip and warrants issued in behalf of the city of Oakland together with all other books and papers, records and documents, belonging to the city of Oakland, and if refused to take all necessary and legal measures for the recovery and possession thereof.

This is certainly a curious motion, for it is hard to conjecture what difficulty there should be, and why one should arise, in obtaining official archives from the head of a municipal government! On April 25th, Rev. E. J. Willis was granted the use of the "Pavilion" for Divine service. Under date April 28, 1855, we find the following example of what may be termed an unusual generosity. It would appear that an ordinance had been passed calling for tenders to supply the printing for the city, upon which H. K. W. Clarke, proprietor of the *Contra Costa* newspaper, sent the following communication to the Council: "I will do the advertising of the city of Oakland, during the current year, in the columns of the *Contra Costa* without charge?" On the same date, after a short and appropriate address, Alderman Gallagher tendered his resignation as President of the Council, when a vote of thanks was passed. The Council then proceeded to fill the position, but no choice having been made, after the sixth ballot, the election was deferred until the next meeting. On May 2d therefore, the matter was once more brought up, when Alderman Williams was declared duly elected to the Chair. Mr. Gallagher then resigned from the Council, when he stated (by letter) his cause for leaving to be that his business being entirely located in San Francisco, and the difficulty of intercommunication being so great, that he could not properly attend to his duties on the Council. On his retirement being accepted the following resolution was adopted:—

WHEREAS, The HON. ED. GALLAGHER, late President of the Council, has tendered his resignation as Member of this Council, and,

WHEREAS, Said Gallagher, by his efficient services in the Council, has secured the approbation of his fellow-Councilmen and of the public; therefore be it

Resolved, That we only echo the public sentiments of our constituents, when we tender to our late colleague, ALDERMAN GALLAGHER, our cordial and sincere thanks for his able, honest, and faithful services to the public while a member of the Board.

Resolved, That the best wishes of this Council be tendered to ALDERMAN GALLAGHER for his future health and happiness.

Resolved, That a copy of these resolutions, signed by the President and Clerk, be transmitted to ALDERMAN GALLAGHER, by the Clerk of this Board.

On August 8, 1855, the following salaries and allowances were fixed: Clerk and Treasurer, fifty dollars per month; the Assessor, for assessing city of Oakland and taking census of children, two hundred and fifty dollars; the Marshal and Collector for collecting city taxes, five per cent. on the amount collected and paid into the Treasury according to charter; Inspectors, Judges, and Clerks of election, five dollars per day; Teachers of Public Schools (male department) eighty dollars per month; Teachers of Public Schools (female department) eighty dollars per month; while November 4th, the salaries of Funded Debt Commissioners were stated at two hundred and fifty dollars each.

On January 30, 1855, between the hours of one and three in the morning, George W. Sheldon was taken from the hands of the civil authorities in the city of Oakland across the bridge into Clinton and there cruelly murdered by an excited and outraged multitude. The facts of this disgraceful affair are these: On the night of Sunday, January 28th, Edward M. Tuttle had a valuable horse stolen from Kelsey's stable in Oakland. Some time during the following day the animal was discovered by a milkman looking for some cows that were adrift, concealed and under lock and key in a shanty, situated in a secluded and unfrequented place about half a mile distant from the stable whence he was stolen. The milkman immediately acquainted the owner of the horse of the discovery he had made. Mr. Tuttle with Frank K. Mitchell, taking with them Constable Kelsey and three or four neighbors, proceeded early in the evening to the shanty, where they found the horse as represented. They took the precaution of entering the hovel through an opening which they effected in the rear of the building, carefully closing the aperture after them. Between eight and nine o'clock they perceived two men approaching the building where they were concealed. On reaching the door they stopped for a moment, apparently to see if they were unobserved, when Sheldon (who was by his voice immediately recognized by those within) remarked to his companion, "It is all right!" He then hastily unlocked and opened the door, and, stepping in, saw the figure of a man standing before him. At this unexpected apparition, Sheldon started, but recollecting himself, he exclaimed, "How are you, Kelsey! I know'd you was here!" Getting no response, he continued. "Damn it, why don't you answer? You needn't be afraid."

Kelsey was not the man addressed. The constable then stepped forward, arrested Sheldon, and commanded those with him to take his companion, who proved to be one Nathan Parker, familiarly known as Bob Parker. The constable took the two prisoners to the office of Justice Ferris, before whom the warrant was returnable. Sheldon expressed a wish that the case might be examined before some other Justice of the Peace, therefore he was transferred to Justice Marier. The case came on for examination before Marier on the following day, the 30th, when the facts as above stated were developed by the testimony. The statement of the prisoners themselves, as given before the Court, did not materially differ from the evidence on the part of the prosecution. Justice Marier thereupon held them to answer to the Court of Sessions, fixing the bail at three thousand dollars each, in default of which they were committed to the "lock-up," until they could be taken to San Francisco Jail—then used as the jail of Alameda County. The prisoners were returned to the calaboose at one o'clock.

Soon an excitement began to be noticeable, and summary punishment was publicly talked of. Towards evening the indignation had greatly increased, and threats were openly made that the prisoners should be "strung up." Some citizens advised the immediate removal of the prisoners to San Francisco, and the Marshal went so far as to unmoor his boat and station it off the wharf, in order to facilitate the removal, but Constable Kelsey was so confident that no attempt would be made to rescue the prisoners, or, if there was such, it could be successfully resisted, that he declined assistance and decided to keep the men under his charge until the morning. To one of the prisoners the promised morning never dawned! The constable kept a small

body of citizens about the "lock-up." There was a good deal of excitement through the city during the evening, but no large assembling of people was visible, and the impression becoming quite general that no rescue would be attempted, the lieges generally retired to rest. Those who resided in the vicinity of the prison were, about two o'clock, startled by the horrible cry of "Murder! Murder!" issuing from the vicinity of the "lock-up." The prisoners were in the hands of the mob, who, numbering from fifty to seventy-five men, all armed with revolvers, came upon and overpowered the guard, beat in the door, seized the prisoners, and, almost as quick as thought, were moving in order towards the bridge connecting Oakland with Clinton. The mob took the prisoners across the bridge into Clinton, and, selecting one of the finest oaks, prepared to suspend Sheldon from its branches. He was called upon to confess, but declined. The rope was drawn up, so that his feet just touched the ground, when he was again called upon to make a confession. He again declined. Again the mob drew him up, so that his toes barely touched the ground. He refused to say anything that would tend to implicate either himself or others. The mob becoming tired of these experiments finally, with a sharp tug, drew him up about three feet from the ground, and in a few minutes he was a corpse.

Sheldon, after recovering from the effects of his first seizure, was cool and collected to the last. He had, once before, been in the hands of the same mob, and was let off on his promise of future good behavior. After he was thus summarily executed, the other prisoner, Parker, was led up in front of him, and asked to make confession, which, to some extent, he did, implicating strongly several parties before suspected. The mob becoming satisfied that Parker had been the tool of others in the business of stealing, and more fool than rogue, admonished him to leave the county forthwith, and made him the bearer of a "notice to quit" to several others by him implicated. The mob having accomplished what they deemed their part of the business, dispersed and disappeared as suddenly as they came, leaving the civil authorities to go through the farce of holding an inquest, and finding a verdict of "Death by hanging."

Among the noticeable improvements in the city of Oakland, in the year 1855, was the opening of a drygoods store, with a city-like aspect, in the same building with Dr. Washington's apothecary shop; at the corner of Broadway and Second Street, by Mr. Gallagher, who was also Postmaster. This store, we are informed, was looked upon with wonder by an amazed and admiring population. It was a veritable piece of a city; it had none of the old curiosity-shop appearance about it, such as prints with wonderfully gay colors and immense straggling patterns on one shelf; crockeryware on another; antediluvian hats and ready-made clothing on a third; rat-traps, fiddles, drums for boys, and sugar-plums for crying babies, on a fourth; with all sorts of cooking and farming implements in corners; and a stone jar of snuff standing on the counter, by the side of a little dusty show-case filled with all sorts of nick-nacks—everything under the sun, and nothing new. Nothing of the kind, but a drygoods store fitted up with taste, and stored with articles sufficient to gratify the most ultra-æstheticism.

1856.—At the election for Corporation officers held March 3, 1856, the office of Mayor, to which S. H. Robinson had been elected, was contested by C. Campbell, his

predecessor, and that of Councilman Shattuck, by William Harwood, but, on examination of the merits of the case, the original candidates were, March 10th, declared duly elected. Of the other matters of interest occurring in this year, we have already spoken in connection with other subjects of special moment. The march of improvement, as regards the city, made rapid strides, and all was quiet with its citizens.

1857.—On June 24, 1857, Dr. de Tavel offered to the Council ten acres for a cemetery, situated at the "back of Mr. Fountain's" on the Peralta Road, while another offer, of block number two hundred, of the same nature, was made by W. H. Bovee; and on July 1st the cemetery ordinance was passed, accepting the first of these offers. Subsequently the property passed into the hands of Isaac H. Brayton and Edward Tompkins, the latter of whom, under date June 23, 1863, petitioned the City Council to the effect that the time had arrived when interments should no longer be permitted within the city limits; they therefore requested that the cemetery should be closed, and the owners thereof released from all obligations to keep the same open as a public burial-ground. The matter was referred to a Committee, who, June 27th, reported that since the passing of the ordinance the place had been used as originally intended, and as no other place within or adjoining the city had been dedicated as a burial-ground, and unless provision in some other locality for that purpose were made, great inconvenience would result to the citizens; they therefore recommended that the contracting parties be not released from their obligation to keep the cemetery open to the public until another suitable locality should be appropriated to that purpose within a reasonable distance from town.

This cemetery was situated on Webster Street, whence nearly all the bodies have been removed. A considerable portion of the property is now in the possession of Peter Thomson, a member of the City Council.

The present beautiful Mountain View Cemetery, a history of which will be found elsewhere, was selected and purchased in the latter part of the year 1863; it consists of some two hundred acres and comprises a vale among the foot-hills. It is situated about a mile and a half east of Oakland, while the following named gentlemen constituted the first Board of Directors: Hiram Tubbs, Dr. Samuel Merritt, J. A. Emery, Rev. I. H. Brayton, William Faulkner, S. E. Alden, Rev. T. S. Wells, G. E. Grant, J. E. Whitcher, Major R. W. Kirkham, W. H. Bovee, Henry Robinson.

The first mention we have of railroads is in 1857. On the 15th July of that year was adopted, entitled, "An Ordinance granting to Joseph Black, John Caperton, and their associates the privilege of constructing a railroad from a point beginning at high-water mark of the San Antonio Creek at the point of the intersection of Seventh Street therewith at the east; then north sixty-four and a half degrees west along the end of Seventh Street the distance of seven thousand two hundred feet to a stake directly in front of the center of J. D. Brower's house; thence north seventy-seven and a half degrees west, six thousand two hundred and forty feet to the easterly end of Bay Street was adopted, with certain slight emendations, which privileges were accepted by Messrs. Black and Caperton on August 7th. Of this franchise, and of the subject of railroads generally, Mayor Williams, in his message to the Council of September 10, 1857, says: "The ordinance granting to Messrs. Black and Caperton and



Dennis F. Bernal

their associates, certain railroad privileges through the city from Gibbon's Point to the site of a contemplated new bridge on Seventh Street was a source of greater solicitude than any, or indeed all, the other ordinances of the past six months. I am in the abstract opposed to monopolies, but when a great and incalculably important benefit to our entire city is proposed to be accomplished by associated enterprise and wealth to which individual means are entirely inadequate, all experience in government has demonstrated the wisdom and policy of granting to chartered companies a temporary monopoly to secure for the public the accomplishment of an otherwise impracticable benefit. What though the grantors do make large profit by the operation, so long as the whole public is largely benefited, their business promoted, their property enhanced in value, their profits increased, population multiplied, and every facility for public and individual prosperity surely promoted and encouraged, I consider the project eminently deserving of the public approbation. It is not to be expected of individuals to peril their pecuniary means in a great enterprise which is to shed its blessings like the dews of heaven upon all alike, without some prospect of an adequate return. Nor do the public desire it. Only convince them that the project is for the general good, and it meets at once with the public approbation. And the public approbation of any project is all that is needed to insure its triumphant and complete success. The character and standing of the applicants for that charter, and their associates, and their peculiar situation as resident citizens among us, afford, in my estimation, a sufficient guarantee of the *bona fides* of the project, and their present prosecution of the objects of the grant afford full proof, if any were wanting, of their intention to complete this project and their well-founded confidence in its ultimate and successful accomplishment.

"For years had our poor, hide-bound city been groaning under the nightmare of the most bold and unmasked imposition embargoed at both ends by odious and monstrous monopolies, illegal, oppressive, and iniquitous; her circumference manacled by unfounded claims, concocted by fraud and consummated by swindling, and her interior foully disemboweled by ruthless harpies preying on her vitals. It seems as if it would puzzle human ingenuity, or even fiendish malevolence, to contrive a system, like the virus of the tarantula, more iniquitously calculated to poison the life-springs of our prosperity, to reduce the value of our city property, prostrate credit, debar intercourse with our neighbors, divert business, choke up every avenue to progress, strangle every effort to prosper, ruin the industrious citizen and desolate our beautiful city, the fairest and brightest gem in California's diadem, than to shut off at one end of the city business intercourse with the traveling public and the whole surrounding country by the exaction of illegal tolls,* and on the other, under an unfounded and false pretense of an exclusive ferry monopoly, where there can be no ferry monopoly, bar a healthful intercommunication with San Francisco by exorbitant charges for transportation and the collection of illegal wharfage in direct violation and open defiance of a city ordinance; wrongs and outrages hitherto submitted to by a most patient public and long-suffering community.

"The remedy which it is our duty to see applied is plain, feasible, and easy; it is on the one hand to cause all persons exacting or collecting illegal tolls for crossing

* The Twelfth-street Bridge, then in the hands of H. W. Carpentier.

the bridge to be prosecuted and punished and, by legal proceedings, cause the toll-gate which is an obstruction upon a public highway, to be removed as a nuisance, and on the other, to prosecute all persons, whether principals or agents, who exact, collect or receive, or cause to be collected illegal rates of wharfage, as is daily done in direct and palpable violation of a city ordinance, and encourage a healthful competition in steam conveyance between this city and San Francisco. * * * The establishment of a free bridge, a railroad and steam competition would soon roll back the black cloud that has so long hung like a pestilence over us and pour a flood of life-giving business through every vein and artery of our beautiful but prostrate city."

On May 20, 1861, there passed the Legislature "An Act granting to certain Persons the right to Construct and Maintain a Railroad through certain Streets in the City of Oakland." The description of the line being from a point at or near the westerly end of the bridge leading from the city of Oakland to the town of Clinton to a point on the bay of San Francisco, where the Alameda County shore approaches nearest to Yerba Buena Island, or at such a point as a railroad may be built from to said island, under, and by virtue of, an Act entitled, "An Act granting to certain persons the right to establish and run a ferry between the Island of Yerba Buena and the City of San Francisco, and to construct a railroad from said island to the Alameda County shore, the right to so construct, maintain, and operate being granted to Rodmond Gibbons, William Hillegass, R. E. Cole, Samuel Wood, Joseph Black, and George Goss, their associates, successors or assigns, for a period of fifty years. Thus was the present local line started. On November 20, 1861, the following ordinance was passed:—

THE COUNCIL OF THE CITY OF OAKLAND DO ORDAIN AS FOLLOWS:—

SECTION ONE.—The right of way along Seventh Street from its easterly limits, to or near its junction with Market Street; and from thence in a straight line to the western boundary of the city, which line is represented on a map filed with the Clerk of the Council, and marked "San Francisco and Oakland Railroad Company, Exhibit B," is hereby granted and released to the San Francisco and Oakland Railroad Company, for the purpose of laying a single or double railroad track, and the necessary side-tracks, along said street and line, and running cars and carrying passengers and freight thereon; said main track or tracks shall not be laid nearer than fifteen feet to the line of the sidewalk, on either side, and shall be made to conform to the grade of the street, and to present a level surface with the street at each street-crossing.

SECTION TWO.—The said company shall have the privilege of erecting upon Seventh Street, at or near its intersection with Broadway, a platform or depot for the shelter of passengers and baggage, according to the dimensions and on a location, designated upon a map, filed with the Clerk of the Council and marked "San Francisco and Oakland Railroad Company, Exhibit A."

SECTION THREE.—For and in consideration of promoting the construction of said railroad, and the advantages accruing to the city of Oakland therefrom, and in consideration of one dollar, and upon the condition that the said San Francisco and Oakland Railroad Company shall, within three years from this date, complete said road and bridge upon the line designated on the aforesaid map, marked Exhibit B., the use of that portion of the overflowed land situated at the western terminus of said projected road, and bounded by the mainland on the east, and on the north and south by two parallel lines, each two hundred and fifty feet distant from the center line of said bridge, and extending from the mainland to the western limits of the city, is hereby granted and released to said company for the term of fifty years, and for such further time as the corporate franchise of said company shall be extended, and the Mayor of the city is hereby authorized to make, execute, and deliver to said company a conveyance, on the conditions aforesaid, of the same: *provided*, that if at any future time the city of Oakland shall lay out and establish a public street within the limits of said tract, and parallel with and adjoining said bridge, or crossing the said road at any point not occupied by the buildings of said company, said company shall claim no damages therefor. Passed November 14, 1861.

[Signed]

Approved November 20, 1861.

[Signed]

E. GIBBONS, *President of Council.*

J. P. M. DAVIS, *Mayor of the city of Oakland.*

AND WHEREAS, In pursuance of the aforesaid ordinance, the Mayor of the said city of Oakland did, on the twenty-fifth day of November, A. D. 1861, execute a deed, which said deed is in the words and figures following, to wit:

WHEREAS, On the 14th day of November, A. D. 1861, the City Council of the city of Oakland passed an ordinance entitled "An Ordinance concerning the San Francisco and Oakland Railroad," which was afterwards duly approved by the Mayor of said city on the 20th day of November, A. D. 1861, which said ordinance is in the words and figures following, to wit: "An Ordinance concerning the San Francisco and Oakland Railroad," which is quoted above, and therefore need not be reproduced; so we go on with the deed.

AND WHEREAS, By the said ordinance the Mayor of the said city is authorized to make, execute, and deliver to said Railroad Company a conveyance of the tract of land mentioned in said ordinance, on the conditions therein set forth.

Now, therefore, by virtue of the authority vested in me by said ordinance, for and in behalf of said city of Oakland, in consideration of promoting the construction of said railroad, and the advantages to accrue to said city of Oakland therefrom, and in the further consideration of one dollar, and upon the conditions that said Railroad Company shall within three years from this date complete said railroad and bridge, upon the line designated upon a certain map, copies of which are on file in the archives of said city, and in the office of the County Recorder of Alameda County, marked San Francisco and Oakland Railroad Company, Exhibit B, I, J. P. M. Davis, the Mayor of said city, do grant and release to the said San Francisco and Oakland Railroad Company the use of all that portion of the overflowed land situated at the western terminus of said projected road, and bounded by the mainland on the east, and on the north and south by two parallel lines each two hundred and fifty feet distant from the center line of said bridge, and extending from the mainland to the western limits of said city, as will more particularly appear by reference to said map marked B, as aforesaid.

To have and to hold the above described premises unto the said San Francisco and Oakland Railroad Company, for the use of said railroad for the term of fifty years from the date hereof, and for such further time as the corporate franchise of said company shall be extended. Together with all and singular, the tenements, hereditaments, and appurtenances thereunto belonging, or in any way appertaining.

But if at any time the city of Oakland shall lay out and establish a public street within the limits of said tract and parallel to and adjoining said bridge, or crossing said road at any point not occupied by the building of said company, said company claim no damage therefor.

In witness whereof I have hereunto set my hand and caused the corporate seal of said city to be affixed, this 25th day of November, A. D. 1861.

[Signed]

J. P. M. DAVIS, [SEAL.]
Mayor of the city of Oakland.

Seal of the
City of Oakland.

Be it therefore enacted that the said ordinance and deed executed in pursuance thereof, above named and recited, be and the same are hereby ratified and confirmed, and declared legal and valid according to the terms and conditions therein named, and that the said deed shall be *prima facie* evidence in all Courts of law, of the right of possession in and to the land therein described.

We have elsewhere shown that the construction of this road received, both here and in Sacramento, strong opposition at the hands of the so-called owners of the water front, on the strength that a concession of the right of way would be the establishment of a monopoly; but the Council thought differently, and in meeting assembled resolved that such a road was of vital importance to the interests of the community, and was calculated to destroy rather than foster a monopoly. Meanwhile the building of the road, with its wharf, went on apace, and on September 2, 1863, the first train of cars passed over the line, the track being completed from the end of the wharf to Broadway. After that date the cars made regular trips, in connection with the *Contra Costa* ferry-boat. It is also a matter worthy of record that the first engine and first three cars used on the line were all built at Oakland Point by a Mr. Young, while the second engine run was manufactured in Schenectady, New York. The honor of driving the first engine along the route belongs to James Bachelder.

In the meantime the San Francisco and Alameda Railroad was being pushed vigorously forward, and its junction with the Oakland line was seriously contemplated, a scheme which was perfected on all the lines falling into the hands of the Central Pacific Railroad Company.

Then came the difficulty in regard to the granting of a site for a wharf at the foot of Franklin Street, already treated on in the portion of this chapter delegated to a consideration of the water-front question, and which it will be unnecessary for us to dwell upon here.

On April 1, 1865, the "local line" was extended to Larue's wharf, at San Antonio (Brooklyn), beyond which it did not extend until purchased by the Central Pacific, while, on March 25th, a fire broke out in the railroad station and destroyed property to the amount of seventy-five thousand dollars. Early in the month of August, of this year (1865), the report became current that the California Steam Navigation Company—then the great monopoly of the State—had purchased the Oakland Ferry and Railroad, but the rumor was set at rest by the assumption of its management by A. A. Cohen, the Superintendent and chief stockholder in the Alameda line, a move that was at the time considered as inimical to the future prosperity of Oakland.

Among the many railroad enterprises afloat at this time was one for the construction of a road from Oakland to Goat Island, the proposed line of which was filed in the office of the County Recorder, on January 22, 1866, certified by Charles Main, President; Peregrine Fitzhugh, Secretary; and L. H. Short, Engineer. The distance over which it was proposed to construct the road was, in a direct line from the outer end of the San Francisco and Oakland Railroad Company's wharf to the island, nearly two miles, and the greatest depth of water to be passed over, about sixty feet, and by it would railroad communication be brought to within one and five-eighths miles of San Francisco. All efforts, however, to place Goat Island in the possession of a railroad company have been defeated by Congress, the island being the property of the United States.

On August 24, 1867, the Council granted permission to the San Francisco and Oakland Railroad Company to erect a station at the Point.

In 1863, the Western Pacific Railroad Company was formed, its route being from Sacramento *via* Stockton and Livermore to Oakland, while in the same year was launched the gigantic Central Pacific Railroad Company. In 1867 it became rumored that the last-named corporation had acquired by purchase the franchises granted to the first named, a report which subsequently proved well founded; but we must not anticipate. On August 24, 1868, an ordinance granting to the Western Pacific the right of way through certain streets in the city of Oakland, was passed; and on September 25, 1869, Leland Stanford, President of that company, petitioned the City Council to the effect that it would be more convenient for the Company, and beneficial to the public interests if the Council would amend the ordinance granting the right of way through Fifth Street, so that the same should read Third and West Third Streets; therefore, section one of the ordinance entitled "An Ordinance granting to the Western Pacific Railroad Company the Right of Way and certain Privileges in the City of Oakland," approved August, 24, 1868, was amended in accordance with the desire therein set forth. On October 4th, the Mayor returned the ordinance granting

the privilege, with his reasons therefor, and on the question, "Shall the ordinance stand notwithstanding the veto of the Mayor?" being put to the Council, it was lost, there being no votes in favor of its passage, and five against it. On October 28, 1869, it was announced that the Western Pacific and San Francisco Bay Railroad Companies had amalgamated and consolidated into a new company, with Leland Stanford, C. P. Huntington, Mark Hopkins, Charles Crocker, E. B. Crocker, E. H. Miller, Jr., and A. P. Stanford as Directors, the capital being ten millions of dollars.

Subsequently the Western Pacific Railroad Company took formal possession of the "local line" and ferry; by these movements it is shown how the Central Pacific Railroad first reached the bay of San Francisco, and the consolidation with the San Francisco and Oakland and San Francisco and Alameda Railroads effected.

The wharves in use by those roads had been built with a view to the accommodation of the Oakland and Alameda ferry business, and were extended only to a depth of water sufficient to meet the requirements of the boats used upon those lines. Extensive additions were at once made to the Alameda Wharf for the temporary accommodation of the overland and interior freight, which was discharged there upon lighters, towed across the bay, and delivered to consignees at the Second and King-street Wharf, at which point freight for shipment on the road was also received, thus making San Francisco, practically, the terminus of the overland road as soon as the rails were laid to the eastern shore of the bay.

With the constantly increasing overland, as well as local freight, the necessity for some more expeditious method of handling it soon became apparent, and the steamer *Oakland* was accordingly fitted up as the first car ferry-boat, carrying five loaded cars; and suitable slips being provided at Alameda and Second-street Wharves, freight was thus landed in San Francisco with but little delay and without breaking bulk.

Meantime, work had been commenced at Oakland Wharf with the view of extending it to ships' channel, and providing suitable slips for the reception of the largest sea-going vessels, as well as for the boats in the regular passenger and freight ferry services.

The length of this wharf when it came into the possession of the Central Pacific Railroad Company was about six thousand nine hundred feet, with a width sufficient for a railroad track and a roadway for teams, having at the terminus a single slip for the ferry-boat *El Capitan*.

The plan adopted for its extension consisted of a new track for the main overland line, connecting with the old wharf about four thousand feet from the Oakland shore and running parallel with the same to its terminus; and thence the extension of the wharf for a distance of about four thousand two hundred feet, with a width sufficient for three parallel tracks and a roadway for teams; the construction of three slips, one for the passenger-boat *El Capitan*, one for a new car ferry-boat (the *Thoroughfare*), and one of sufficient capacity to hold four large ships, with warehouses alongside for the temporary storage of grain when vessels were not at hand to receive it. Outside of these slips there was left an available frontage on either side of more than four thousand feet, where vessels lie with convenience and safety. Extensive passenger-depots were also provided for, and every arrangement made for the rapid transshipment of passengers and freight.

A new freight ferry-boat, with a capacity for eighteen loaded cars, and additional room for sixteen car-loads of loose stock, was built and ready for use as soon as the new wharf was completed, in January, 1871, when the freight and passenger business of the company's roads was concentrated at that point. It is curious to observe the amount and nature of the material used in the construction of the wharf. Of timber and plank there were, seven millions and six thousand eight hundred and seventy-five feet, broad measure; eight hundred and forty-eight thousand six hundred and fifty-eight lineal feet of round piles; and two hundred and fifteen tons of iron.

On March 24, 1870, an ordinance to authorize the San Francisco and Oakland Railroad and the Western Pacific Railroad Companies to erect and maintain bridges across the estuary between the city of Oakland and Brooklyn was passed.

In 1873 an addition of three and seventy-nine hundredths miles to the Oakland and Alameda branch, consisting of a second tract through Railroad Avenue and Seventh Street, Oakland, from Bay Street to Harrison Street, and a branch thence to Mastick Station, Alameda, was built. This branch crossed the main line at the intersection of First and Alice Streets, and crosses San Antonio Creek on a bridge consisting of twelve spans of sixty feet each, and a swing-bridge with two clear openings of eighty feet each. The construction of this new line was necessary to enable the local trains and ferry to make half-hourly trips, which the rapidly increasing travel seemed to require, while, in consummating this arrangement, the Alameda ferry was abandoned, and the steamer *Alameda*, formerly run on that route, placed on the Oakland line, and making alternate trips with the *El Capitan*. The new track was completed and boats and trains commenced making half-hourly trips on September 29, 1873, an arrangement which proved eminently satisfactory to the patrons of the line.

During the year 1874, sliding ways were constructed at Oakland Point and the work of construction and repairs of steamers, etc., transferred to that place. Two new steamers designed for the ferry line—one for passenger and one for freight service—were built in this year, the *Oakland* being launched in 1874, and the *Transit* in July, 1875. These are the largest boats placed on the line, the latter being able to accommodate twenty loaded cars, or four more than the *Thoroughfare*. In this year, too, the construction of new ferry-slips was undertaken by the Harbor Commissioners of San Francisco, on East Street, between Market and Clay Streets. In 1875, a new wharf and slip for the ferry-boat running between San Francisco and Oakland *via* San Antonio Creek (the Creek Route) was commenced, and completed in July of the following year, the steamer *Capital* being entirely refitted for service on the line. In 1878 a new wharf and slip for the car ferry-steamers were constructed near the mouth of the estuary of San Antonio, a work which rendered necessary the removal and rebuilding of one thousand feet in length of the north training-wall constructed by the United States Government for the improvement of Oakland Harbor, which was done with the concurrence of Col. George H. Mendell, United States Engineer in charge, and without detriment to his proposed plan of the harbor.

In June, 1879, was commenced, and in 1881 was completed the Oakland Pier, or Mole. It is one and twenty-sixth hundredths miles in length, and two hundred and eighty feet in width at the western end. It is largely constructed of rock brought from Alameda Cañon, a distance of twenty-six and one-half miles, and the earth used for fill-

ing the interior portion was also transported by trains a distance of six and three-fourths miles. Four parallel tracks extend from the Oakland shore, a distance of four thousand eight hundred feet, and thence to the terminus, additional tracks (twelve in all) are laid, ten of which pass through the depot building. From the western end of the rock-pier extends the pile-work forming the ferry-slip, and foundation for a portion of the main wings of the depot building. This slip is six hundred feet in length by one hundred and seventy-seven feet in width at its entrance, and has a sufficient depth of water for the largest ferry-steamers at the lowest tides.

The depot building, which was also completed in 1881, was designed by Arthur Brown, Superintendent of Bridges and Buildings, and with the wharf and slip was erected under his supervision. It is constructed in three main divisions longitudinally. The main or central part is one hundred and twenty feet wide and sixty feet high, and is used mainly for overland and interior local trains. The side divisions, which are used by the Oakland, Alameda, and Berkeley local trains—connecting half-hourly with the ferry-steamers—are each sixty feet wide and forty feet high, and extend as wings on either side of the ferry-slips. There are two commodious waiting-rooms for passengers. The upper one is one hundred and twenty by one hundred and twenty feet, and connects by side aprons with the saloon-deck, while the lower waiting-room connects with the main deck of the steamers. Spacious offices for the Division Superintendent and his assistants, as well as various apartments for the use of *employés* and the general accommodation of business are conveniently arranged. The structure has a total length of one thousand and fifty feet, and covers an area of more than four acres. The roof is covered with corrugated iron and glass, and iron is largely used in the roof trusses and throughout the whole building. Water-tanks are placed in the towers on either side of the slip at a height sufficient to throw water to any part of the building in case of fire. Ample provision has been made for all the requirements of the business that could be foreseen, and the facility with which the large passenger movement is effected fully attests the efficiency and convenience of the general plan. The building is amply lighted, glass being largely used in the sides as well as in the roof. It is lighted at night by electricity; and electric lights are also placed at convenient intervals through the yard, so that trains may be moved with as much safety by night as by day. This noble depot, the terminal point of a noble enterprise, was opened with a grand ball in February, 1881, and is a "red-letter day" in the annals of Oakland.

We will now draw the reader's attention to the following facts and figures, as exemplifying the increase in the operations of the Central Pacific Railroad in its especial alliance appertaining to the city of Oakland:

LENGTH OF OAKLAND AND ALAMEDA BRANCHES, CENTRAL PACIFIC RAILROAD.

	1872.	1881.
Oakland Wharf to East Oakland.....	6 miles.	5.67 miles.
Oakland Point to Mastick.....	—	3.82 "
Alameda Wharf to Melrose (Haywards).....	17 "	5.19 "
Fruit Vale Connection.....	—	2.01 "

The second table to which we would refer is the list of Ferry Steamers belonging to the Central Pacific Railway:

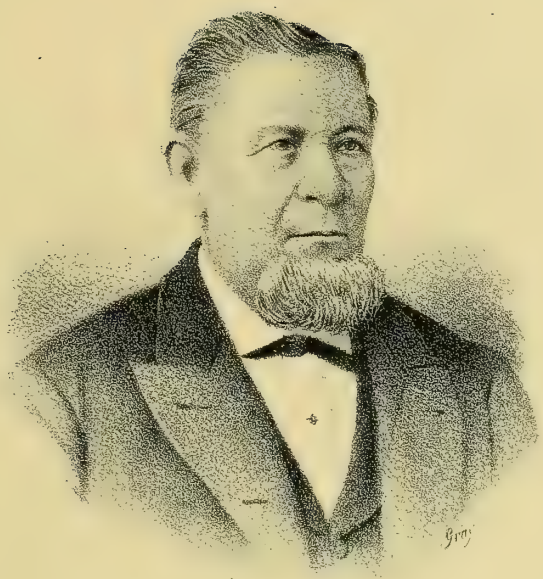
	1872.	Tons.		1881.	Tons.
El Capitan.....		982	Alameda.....		813
Alameda.....		813	Amador.....		896
Oakland.....		285	Amelia.....		386
Washoe.....		580	Capital.....		1,989
Thoroughfare.....		1,012	El Capitan.....		982
Louise.....		386	Oakland.....		1,672
Flora Temple.....		334	Transit.....		1,566
			Thoroughfare.....		1,012
			Solano (at Carquinez Straits).....		3,549

The last table is a general statement of the number of passengers passing the Central Pacific Railroad and Leased Lines, and necessarily through the city of Oakland, during the year ending December 31, 1881, and for comparison the years from 1872 to 1880 are also shown:—

NUMBER OF PASSENGERS PASSED OVER CENTRAL PACIFIC RAILROAD LINES, 1872 TO 1881.

		THROUGH.	LOCAL.	FERRY.	TOTAL.
1872—	Eastward.....	21,645	265,247	1,203,628	1,490,520
	Westward.....	34,940	267,901	1,211,513	1,513,454
	Eastward and Westward.....	55,685	533,148	2,415,141	3,003,947
1873—	Eastward.....	23,486	296,988	1,310,327	1,630,801
	Westward.....	44,370	293,351	1,311,649	1,649,370
	Eastward and Westward.....	67,856	590,339	2,621,976	3,280,171
1874—	Eastward.....	24,782	269,733	1,573,989	1,868,504
	Westward.....	55,509	274,425	1,664,291	1,994,225
	Eastward and Westward.....	80,291	544,158	3,238,280	3,862,729
1875—	Eastward.....	30,422	288,149	1,935,661	2,254,232
	Westward.....	74,919	285,413	2,147,750	2,508,082
	Eastward and Westward.....	105,341	573,562	4,083,411	4,762,314
1876—	Eastward.....	37,855	352,753	2,379,566	2,770,174
	Westward.....	60,565	338,529	2,603,391	3,002,485
	Eastward and Westward.....	98,420	691,282	4,982,957	5,772,659
1877—	Eastward.....	31,247	537,350	2,690,527	3,259,124
	Westward.....	47,435	542,903	2,971,094	3,561,432
	Eastward and Westward.....	78,682	1,080,253	5,661,621	6,820,556
1878—	Eastward.....	25,938	572,106	2,768,053	3,366,097
	Westward.....	37,556	588,986	2,986,549	3,613,091
	Eastward and Westward.....	63,494	1,161,092	5,754,602	6,979,188
1879—	Eastward.....	25,268	595,903	2,697,090	3,318,261
	Westward.....	30,788	621,459	2,865,799	3,524,046
	Eastward and Westward.....	62,056	1,217,362	5,562,889	6,842,307
1880—	Eastward.....	30,367	674,024	2,546,192	3,250,583
	Westward.....	34,280	698,756	2,723,726	3,456,762
	Eastward and Westward.....	64,647	1,372,780	5,269,918	6,707,345
1881—	Eastward.....	30,891	748,440	2,631,627	3,410,958
	Westward.....	47,107	758,878	2,815,423	3,621,408
	Eastward and Westward.....	77,998	1,507,318	5,447,050	7,032,366

It will be unnecessary for us to dwell here upon the South Pacific Coast Railroad. We have put before the reader, in the history of Alameda Township, the official action taken whereby it obtained a footing on the south side of the San Antonio



Joseph Dieves.

Creek, afterwards crossing it by Webster-street Bridge and locating its terminus at the corner of Twelfth and Webster Streets, in the city of Oakland. It is believed that it is contemplated to extend the road into East Oakland and its environs, while it is possible that eventually it will connect with a direct line from Stockton, coming into the valley at Haywards. It is also thought that this road will ere long be extended to meet an eastern line at the Colorado River.

The company is now building a depot extending into the bay as far as that of the Central Pacific Railroad Company's terminus, which, with the fast steamers, *Bay City*, *Newark*, and *Garden City* now on the route, and others, the building of which will soon be commenced, will bring passengers to Oakland in half an hour, while should the time of starting be changed to every quarter of an hour, as is believed will be the case, Oakland will have communication with San Francisco every fifteen minutes—but all this is in the womb of futurity.

On March 25, 1881, a line was organized by the California and Nevada Railroad Company to operate a narrow-gauge line from Oakland, and, passing through Alameda, San Joaquin, Stanislaus, and Tuolumne Counties, scaling the Sierra Nevada, reaching the State line near the flourishing mining-camp of Bodie, Mono County.

After grading a considerable portion of the line in Alameda and Contra Costa Counties work was suddenly brought to a stop, and has not since been proceeded with.

1858.—In our chapter on the legislative history of Alameda County we have fully related the adventures of the county's capital; let us now touch upon Oakland as bidding for that of the State. As early as April 29, 1854, we hear of it. In his message of that date Mayor Carpentier says: "Frequent reference has been made of late by State officers and Members of the Legislature to the subject of locating the capital of the State at Oakland; and all who are acquainted with the geography and natural advantages of the place must agree that such a location would be a judicious one, alike calculated to facilitate the labors of legislation and of the public services, and to promote the convenience of citizens who may be led, either from motives of business or pastime, to visit the capital. If you should be of opinion that such a result is likely, and that it would conduce to the permanent welfare of the city, I recommend that such steps be taken as will prove your friendliness to the proposition." We have already shown how the State capital was located at Sacramento, but even then there was no despair in Oakland. On March 15, 1858, we find the Hon. J. A. Hobart writing to the then Mayor that he had that day given notice in the Legislature that he would introduce a bill with concurrent resolutions to remove the seat of government to Oakland, and wishing to ascertain from the City Council what inducements he could offer from Oakland and San Francisco so that they could gain favorable consideration. Mr. Hobart also stated that if there were suitable accommodations already prepared, or a sure guarantee that they would be ready by New Year, 1859, he could gain a majority for the removal. On receipt of a communication from the Mayor informing them of the purport of Mr. Hobart's letter, the Council resolved that that official be requested to call a meeting of the citizens to take into consideration the subject of memorializing the Legislature to locate the capitol of the State at Oakland. The next we learn of this matter is that a meet-

ing of the City Council was had, February 20, 1860, having for its object the adoption of measures appropriate for the reception and entertainment of a Legislative Committee expected to visit Oakland for the purpose of reporting upon a suitable location for the State capital. It was therefore resolved that a committee of three members of the Council be appointed for the purpose of making all necessary arrangements for the reception and entertainment of the visitors. The Chair then appointed Aldermen Rogers, Warner, and McDevitt such committee. But nothing came of the visit; fifty-three dollars and fifty cents was paid out of the public funds for refreshments, and Oakland remains without the prize!

Consequent upon the absence of Alderman McCann, a new election was called for September 4, 1858, for a Councilman in his place. F. Warner received the highest number of votes. This election was contested by R. Lockwood on behalf of J. Dieves, and it was resolved by the Council to call a new election, as there was a discrepancy of one vote existing between the poll-list and the tally-list, while it appeared that a difference of but one vote existed between the two highest candidates voted for, therefore a special committee was ordered by ordinance, when Mr. Dieves was elected by a majority of eighteen.

1859.—Upon the election of the new corporation officers on March 7, 1859, it was resolved by the outgoing Council "That the thanks of this Body be extended to F. K. Shattuck, for the able and impartial manner in which he has discharged his duties, and that our congratulations be proffered him upon his unsought elevation to the Mayoralty of this city." It may be remembered that Mr. Shattuck was the first Town Clerk of Oakland, and had, step by step, risen to the highest civic honor in the gift of the citizens. On the 6th April, of this year, J. E. Whitcher was authorized to make a map of the city, which, September 3d, was completed and accepted by the Council. On the 14th November, upon the resignation of Alderman Marier, the following resolution was adopted:—

WHEREAS, A. MARIER, late a member of this Board, being about to take his departure from the State, therefore

Resolved, That the thanks of the Council are hereby tendered him for the faithful manner in which he has discharged his duties as a public officer, and that our best wishes for his welfare and success attend him in his new and distant home.

It is said that this gentleman did not return to France, but died in the southern part of California some years after.

1860.—In his message of March 28, 1860, Mayor Davis states: The city is slowly but surely advancing in prosperity. The unsettled condition of title to real estate within her limits, and the delay of dredging the sand-bar at the mouth of San Antonio Creek, which, if completed, might facilitate and render certain communication between here and San Francisco, still operate as drawbacks upon our progress. But notwithstanding these drawbacks, improvements of a permanent nature, although of a limited extent, are continually going on; society is steadily increasing in numbers and intelligence; her churches are well attended every Sabbath, with attentive and respectful congregations; her common school is crowded with children who are receiving the rudiments of a public education; her seminaries of learning are well patronized; these, together with other contemplated institutions of a kindred

character whose foundations are about to be laid, are her surest guarantees of prosperity in the future. They, with the influences of her position, her climate, and her scenery, will in due time attract the attention of the State and draw to her innumerable families to realize their benefits and make her what nature has intended her to be, one of the largest and most beautiful cities of the State." The Mayor, however, still finds some things extant that might be bettered. He suggests that "Some measures of a stringent nature ought to be adopted for the suppression and prohibiting, within the city limits, fandango and dance houses." Says he, "These are generally kept in our most public streets by the lowest classes of our Mexican and Chilean population. They are the resort of the idle, the polluted, and the vagabond of both sexes, who, when any of their numbers are arrested for disturbing the peace or otherwise violating the law, stand by and protect each other, even to the extent of perjury, so that Courts of justice are generally unable to convict. They are of no possible benefit to a community, but are a positive injury from their baneful influences upon the morals and good order of the city. Their presence prevents respectable families from occupying houses in their neighborhood. I therefore recommend you to pass such ordinances as may be most effectual to enable the city to rid herself of these altogether." On March 28th F. F. Fargo, proprietor of the Alameda County *Herald*, states his willingness to publish the back ordinances enacted by the Council free of cost to the city, he deeming them of sufficient importance to his Oakland readers as to insure an increased interest in his paper, a proposition that was accepted by the Council with thanks. On May 30th the office of City Attorney was created; while, on November 28th, the Ordinance Committee was instructed to report an amendment restricting the fire limits to the lots on Broadway, seventy-five feet deep, and prohibiting the erection of frame buildings on the remainder over fifteen feet in height.

1861.—On February 13, 1861, a bill amendatory of the city charter was approved by the City Council, and, together with that to provide for the collection of delinquent taxes, were ordered to be forwarded to the Representatives from Alameda County by the City Attorney.

The year 1861 is perhaps the most important in the annals of the country, for it saw the commencement of the great rebellion. Military enthusiasm was the order of the day, and Oakland was not behind in the arming and equipment of companies for military service if need be. On August 31, 1861, the "Home Guard" was organized with the following officers: James Brown, Captain; John Potter, First Lieutenant; W. H. Puffer, Second Lieutenant; J. H. Hobert, Brevet Lieutenant; H. H. Crocker, Orderly Sergeant; T. W. Newcomb, Second Sergeant; W. Woolsey, Third Sergeant; Charles McKay, Fourth Sergeant; H. A. Morse, First Corporal; Henry Sommers, Second Corporal; C. Stewart, Third Corporal; James Travis, Fourth Corporal.

1862.—February 5, 1862, there was passed by the Council an ordinance granting the right to erect gas-works in the city of Oakland. A duel was fought on the 1st June of this year, between Frank Turk and O. C. Hall of San Francisco, but no blood was spilled. On October 7, 1862, the Bay District Fair was commenced in Oakland, and was well attended, the exhibit of animals of all kinds, as well as of produce, being

highly creditable. Among the articles on exhibition were a squash weighing ninety pounds; a cabbage, fifty-one pounds; and a sweet-potato, nine pounds. The celebrated horses "Comet," "Hunter," "Kentuck," and "Owen Dale" were shown at the stock parade in the evening, as were also certain Clydesdale horses recently imported by J. W. Dougherty and Mr. Martin, of the Amador Valley. J. D. Patterson also produced five specimens of celebrated Alderney cows. At the election of officers the following gentlemen were chosen to serve for the ensuing year: J. J. McEwen, President; S. J. Tennent, J. Bowles, Vice-Presidents; William Reynolds, Santa Clara; S. W. Johnson, Contra Costa; R. Blacow, Alameda; D. S. Cook, San Mateo; J. A. McClelland, San Francisco, Vice-Presidents for counties at large; G. P. Loucks, Platt Gregory, R. G. Davis, Directors; K. W. Taylor, Treasurer; O. Falley, Secretary. The annual address was delivered by Rev. Starr King, to a large audience; indeed, there was nothing to mar the entire programme but the presence of all manner of gambling, then but too common at such meetings. On the night of November 11, 1862, Becht's Brewery, situated at the corner of Broadway and Ninth Streets was consumed by fire, the loss amounting to six thousand dollars and two thousand gallons of beer. During this year an act entitled "An Act to Incorporate the City of Oakland, passed March 25, 1854, and repealing certain other Acts in relation to said City" was approved, its provisions restating the boundaries of the city, regulating officers, defining the duties of the City Council, and fixing the time and method of levying taxes.

1863.—Mayor Bovee, in his message of March 12, 1863, remarks, in reference to the city of Oakland: "The Funded Debt of the city now amounts to the sum of thirty-nine thousand one hundred dollars, bearing an interest of seven per cent., which is classified as follows:—

Balance of outstanding debt funded under the Act of 1855, and payable in 1865.....	\$20,700 00
Amount funded under Act of 1858.....	11,200 00
Amount under Amendatory Act of 1861.....	7,200 00

.....\$39,100 00

Making the total of.....

The last two named amounts being payable in 1878.

"The city is therefore required to pay in 1865 the bonds issued in 1855, and by section nine of the Funding Act of 1855, it is made your duty in each of the years 1863 and 1864 to raise by tax upon the property within the city a sum equal to one-half of the amount of the debt about falling due. It appears to me that with the prospect before us of an excess in revenue beyond our current expenses, but a small tax will be necessary. Our bonds are now selling in the market at about sixty-five cents on the dollar, which would make the amount required for the redemption of the issue of 1855, equal to thirteen thousand four hundred and fifty-five dollars.

"The assessment of 1862-63 shows the taxable property of the city to have been about six hundred thousand dollars. The indications now are the roll of 1863-64 will not be less than seven hundred thousand dollars, on which there is already levied for the present fiscal year a tax of one per cent.

This will produce.....	\$7,000 00
Add estimated revenue from licenses.....	2,000 00
Makes the gross income of the year.....	\$9,000 00
From this there will be required to pay interest on the Funded Debt.....	\$2,800 00
Estimated expenses of present year.....	2,000 00

.....\$4,800 00

Leaving to be applied to payment of bonds.....\$4,200 00

“The prospect before us of a like, or larger, excess in the next year’s receipts will probably induce you to fix the rate of tax to be levied as low as may in your judgment be consistent with the object to be attained. I am pleased to be enabled to inform you that the city has no obligation beyond her Funded Debt, and that there appears from the report of the Treasurer, made to our predecessors, to be in hand in the Treasury, nineteen hundred and eighty-seven dollars to the credit of the Interest Fund, and a sufficient balance in the General Fund to defray the ordinary expenses of the Government until the next taxes are payable.” He further states in regard to other matters: “The mode pointed out by the charter for the collection of taxes has had the result of involving the city in some litigation as to the manner in which the assessment was made. I am informed that the collection of the last year’s tax has been in two instances enjoined by the Judge of the District, and that in one of the cases where an injunction issued, suits by the city had been commenced against the plaintiff, to the number of forty-eight, to recover the taxes on a tract of unimproved property, the whole embracing less than two blocks, the costs of which suits exceed many times the amount of the tax sought to be collected, and also, as I am informed, the value of the property. I am not prepared to say that the action of our late officials in the premises was without authority of law. This is a question that can better be determined by the eminent legal gentlemen we have the good fortune to number in your Body, but it does appear to me that if such a mode of harassing a citizen has legal sanction, it would be no less creditable than just to seek an amendment removing the objection. The object of such laws should be to enforce the payment of taxes, and whilst this may be rigidly done, without injustice, no law of the King should receive such construction as operates to confiscate the property taxed, more particularly when such result is attained by the accumulation of fees of the officers charged with its collection.

“As the plaintiffs in the injunction suits referred to have proposed to pay the tax due to the city, I would recommend that the same be received and that the actions commenced against them on the part of the city be discontinued.

“The duty of appointing a City Attorney devolves upon you, and I would suggest that such appointment be made as soon as possible. The charter seems to contemplate that the Mayor shall be, *ex officio*, City Attorney, but as this provision was made in contemplation of the former office being filled by a person of the degree of Attorney-at-Law, it cannot be made operative in the present case.

“The city is at present involved in litigation of much moment, suits being now pending involving the right to her water front, and many others respecting streets and the collection of taxes of more or less magnitude. It appears to me there has been much delay in prosecuting the rights of the city in the suits referred to and that the Attorney to be appointed now ought to be a gentleman, not only of experience but of sufficient energy to prosecute the litigation in which the city is interested to an immediate conclusion. I would suggest that the officers to be appointed be instructed to report to your Body as soon as practicable, a full statement of the condition of the legal business of the city.

“Another subject to which your attention is asked in connection with the services of your legal adviser is the condition of the City Ordinances. I am informed that

many of them are inefficient to obtain the objects designed by their passage, and that there are but few laws on the Ordinance Book that are not subject, more or less, to legal criticism. The present time seems to me to be peculiarly appropriate for the task, it being one requiring much judgment and experience, and should be accomplished whilst you can obtain the benefit of the more than ordinary talent of the legal gentlemen among you.

"There has been for some time past much conflict and jealousy between our city officers and the officials of the county respecting the charge and subsistence of prisoners. It is contended on the part of the county, that, inasmuch as the city receives and appropriates to her own use all the moneys collected for licenses within her limits that she should be at the sole expense of the custody and care of her prisoners. To some extent this position is well taken. I think the city ought to bear the expense of the trial of all persons convicted by her Magistrates of such offenses as may by law be punished by Justices of the Peace, but that persons accused of crimes of a higher grade, which are triable before a Court of Record, ought to be taken care of at the expense of the county. All cities have much transient population, and a large proportion of offenses are committed by persons of this description, and whilst the municipal government may with propriety be asked to bear the expense of preserving the peace within its limits as to all minor offenses, there would be no propriety in fixing on the city the expense of a trial for murder merely because the crime happened to be perpetrated within her boundaries.

"A proper chamber for the meeting of the Council together with an office for the Mayor and a suitable place in which the records of the city may be kept are urgently needed. The damage to the city that would ensue by the loss or destruction of her files and records cannot well be estimated. I would recommend an appropriation for the purchase of a suitable iron safe in which they may be placed. The services of the gentlemen composing your Body are rendered without reward and are the more onerous from the fact that they are required at such times as to withdraw you from the comforts of your homes and firesides. Whilst I should be much averse to any extravagant expenditure for such purposes I deem it only proper that a comfortable apartment for your meetings should be provided. It is unfortunate that with the debt contracted by our predecessors they were not sufficiently provident to secure to the city a suitable building for the transaction of her business."

On November 22, 1863, Edward Hoskins offered the pavilion on Washington Square, formerly occupied by the Alameda Agricultural Society, for sale to the city at twelve hundred dollars, who, on December 22d tendered one thousand dollars for the same, subject to a good and sufficient deed being given.

January 1, 1863, a Democratic newspaper named *The Press* was started in Oakland by S. B. English, a gentleman who had previously been associated with James F. Kapp in the publication of the *San Leandro Gazette*. It lasted only three months, the material being subsequently purchased by Mr. Gagan when he started the *Oakland News*, in the month of September.

At this time Oakland was, and with perfect right, proud of the number and excellence of her literary institutes. Here was located the only unsectarian college in the State, or indeed on the Pacific Coast, to which were attached professors of

acknowledged ability and talent. It afforded every facility for acquiring a classical education, and erected an ornamental frame building for its purposes. The Oakland Female College was in course of construction at this time; while the College School, offering all the advantages of a first-class High School, was in full swing. Besides there was Mrs. Blake's Seminary, considered the most fashionable institution in this portion of the State, and there were the free and several private schools as well. In addition to her schools Oakland was beginning to show activity in her industries. The *News* of November 19, 1863, has the following: "Few of our citizens are aware of the amount of work turned out by Messrs. Barnes & Palmer at their planing-mill on the corner of Second and Washington Streets, in our city, or of the magnitude and capacity of that establishment. This firm commenced an humble business one short year ago, doing within themselves almost all of their own work, but, by their promptness, energy, and strict attention to business, soon became the leading contractors in this place. Since their start they have turned out and are now turning out nearly all the moldings and scroll-work used on this side of the bay, their machinery being suitable for this work, as well as for doors, sash blinds, window and door frames, finish for buildings, and every article usually manufactured in an ordinary planing-mill. By the use of the latest and most improved machinery they are enabled to compete successfully with San Francisco firms, or, in fact, any firm in the State, so far as the cheapness and quality of their work is concerned, and we are glad to know that our citizens are becoming fully aware of this fact, as a rapid increase of business amply testifies. Pass when you will and the hum of busy industry is heard in the locality of this shop, its capacity being tested to its utmost extent from early morning until the late hours of night. Twenty-five mechanics are now regularly employed, and even this large force is being added to weekly. The heavy contracts for the various buildings which are now in progress of construction here, have been awarded to this firm, their superior facilities giving them great advantages over many other competitors. Nor is the reputation of this firm confined to Oakland; other cities are fast becoming acquainted with the merits of the Oakland Planing-Mills. Messrs. Barnes & Palmer have been lately receiving plans and specifications of public buildings and private residences from San Mateo and San Francisco, and the contractors of the latter will have to figure pretty close if they would prevent our Oakland mechanics from getting the inside track. And whatever work they agree to do will be done promptly and well, their *employés* being all first-class mechanics, while their foreman, Mr. Willet, as an outside workman, has very few equals in the State."

In the month of December, 1863, Archbishop Alemany, assisted by Revs. Messrs. Harrington, Quinn, and Gabriel, performed the interesting and impressive ceremonies of consecrating the new Roman Catholic Cemetery, about four miles from Oakland. It was named St. Mary's Cemetery, and contained thirty-six acres, six of which were in the first instance inclosed. The ground was formerly known as the Mahoney Ranch, and was purchased from Thomas Mahoney. The first person to be buried in it was a Mr. Murphy, who was interred on the afternoon of the day of consecration.

1864.—The Street Railroad system of Oakland, which had its birth in this year,

is very comprehensive, all of the streets of present or prospective importance being covered by a franchise. On June 25, 1864, E. B. Walsworth petitioned the City Council to the effect that he, with others, at great cost and expense, had erected just outside the northerly limits of the city, a building devoted to the purposes of learning, known as the "Pacific Female College," which at that time was somewhat inaccessible to strangers and persons residing in other parts of the State and from whom the said Institute expected to derive its chief support, while there being no regular means of communication or transportation between the ferries and railroads of the city and the college, the petitioner prayed that he should be granted the privilege of constructing and maintaining a railroad from the southerly limits of the town, running through Broadway, or some other parallel street, to the thoroughfare known as the Telegraph Road, and extending to the northerly limits of the city, and asking that he may be permitted to use either steam or horse power on it when completed. On December 27, 1854, a petition was received from Messrs. Weston, Fogg, and Goss, a committee on behalf of the Oakland Railroad Company, for permission to lay a double track on Broadway, below Fourteenth Street, and a single track from Fourteenth Street to the corporation line, with the other necessary improvements. The prayer was delegated to a committee to report, and stated that the Oakland Railroad Company is a corporation duly incorporated for the purpose of constructing, owning, and maintaining, a railroad from a point in Broadway, at or near the wharf in the city of Oakland, to a point in Oakland Township at or near the lands belonging to the "College of California," the road being located through Broadway and Telegraph Road. On February 21, 1865, the Council—

Resolved, That the Oakland Railroad Company, previous to obtaining any right to lay tracks in the city, should agree to the following propositions: First, that the Company shall not ask the Legislature for any extension of the term of twenty-five years without previous authorization of the Council, nor the right to use steam within the city limits without such previous authorization. Second, that the company shall petition and if possible obtain from the Legislature the right to collect fare within the city limits.

The term of franchise was, however, changed to twenty years, on the 10th of March.

On March 28, 1865, a petition was received from the Contra Costa Railroad Company, to construct a line in the city of Oakland, from the water front of the said city, where the same is intersected by Broadway, and over and along said Broadway to its intersection with the roads known as the Telegraph and San Pablo Roads, or from said water front at its intersection with Washington Street, and over and along said Washington Street to its intersection with the said San Pablo Road, and thence along said road to the northerly boundary of the city.

In respect to the Oakland Railroad Company, the committee to whom was referred the draft of an ordinance granting to them the right of way to lay down a track in the city of Oakland, reported, August 15, 1865, that in their opinion the Council had no authority to pass the ordinance making the grant. They further stated: "The city is a municipal corporation existing and acting only by virtue of its organic law. It possesses no power not expressly given by its charter, except incidental powers which are necessary to the exercise of the powers expressly granted—or authorized by the general laws of the State; and we have only to look first to the charter, and second to the general laws to determine the question.



H. T. Nebas

"First.—An examination of the charter fails to disclose any authority given directly or indirectly to divert a public street from its ordinary use. Streets are public property, dedicated to ordinary public uses, and no power is given to the corporation to permit them to be used for other than ordinary purposes—much less to give one man, or set of men, any exclusive right to use the same for any purpose. The Legislature has always regarded the exercise of such a power as dangerous to the public interests, and hence no municipal charter, it is believed, in the land, delegates such power to a city government. The right to control a public easement to the extent under consideration remains with the Legislature, and it is only granted in special cases by special Acts. But it is sufficient to say that the charter of Oakland does not, in terms or by implication, authorize the grant.

"Second.—No general law of the State authorizes it, but, on the contrary, all the laws on the subject directly imply the reverse.

"By Section twenty-one of the General Railroad Law (Acts of 1861, page 618) it is provided that a city may grant to a railroad company the use of any street which may be absolutely necessary to enable such company to reach an accessible point for a depot in such city, or to pass through the same on as direct a route as possible; but it expressly excepts street railroads from the benefits conferred by the section. Here then is something more than a denial by implication; but the section goes further and provides that no railroad company shall use their railroad for street railroad purposes, or for the purpose of carrying passengers for a consideration, from one point to another in the same city.

"Section fifty-eight provides that corporations may be formed under the Act, for the purpose of constructing, running, and maintaining a street railroad, being wholly within the limits of a city, etc., under a franchise granted to such corporation or its assignors, by the Legislature of the State. By this section the principle is clearly recognized that the power to grant such franchises is in the State, and what follows in the same section makes the matter still more clear, for it provides that such corporations—*i. e.*, street railroad companies—shall have all the rights, powers, and privileges conferred by the Act granting the franchise. By a fair construction of the section we conclude that the Legislature intended first, that street railroad companies should not operate except by virtue of a special Act; and second, that such companies should not have or exercise rights, powers, or privileges not conferred by such special Act.

"But it may be answered that the Oakland Railroad Company is not a strict railroad corporation; perhaps it is not, strictly speaking, a street railroad company, yet it is such for all purposes contemplated by the restrictive clauses of the Act referred to, and would be so regarded by a court of equity. The fact that the road is intended, at some definite time, to be extended considerably beyond the northern limits of the city, does not at present make it the less a street railroad; for, were it otherwise, the express provision of the law could be evaded by continuing the track one foot or one inch beyond the northern limits of the city. But, admit that the proposed road would not be a street railroad in the sense used by the statute, and we still meet with difficulties in the sections of the Act before referred to; for there a city is only allowed to grant the right of way through on as direct a route as possible, or to grant the use of a street which may be absolutely necessary to enable the company to

reach an accessible point for a depot. It does not appear necessary to go to the foot of Broadway to reach an accessible point for a depot.

"But the inhibition against using the proposed road for 'street railroad purposes' or for the purpose of carrying passengers, for a consideration, from one point to another in the same city (see Section twenty-one, above referred to) would seem to be sufficient to satisfy the company as to the unprofitable nature of their enterprise. They may be, and doubtless are, acting under advice as to their legal rights.

"In the case of *The State of New York vs. The Mayor and Aldermen of the City of New York* [3 Duer's Rep. p. 119, cited in Redfield's Railroad Law, p. 616], the powers of municipal corporations in like cases are thoroughly discussed, and the conclusion of the court is that such corporations do not possess the power to make grants like the one petitioned for by the Oakland Railroad Company.

"D. P. BARSTOW."

This report was referred to a Special Committee composed of Alderman Jayne, Shattuck, and Faulkner, who, August 22d, reported an ordinance granting the right of way as prayed for, to which several amendments were offered, the whole matter being subsequently referred to Messrs. Jayne, Miner, and Barstow, as a special committee, whereupon Mr. Barstow offered the following resolution, which was adopted:—

Resolved, That the Council will coöperate with the Oakland Railroad Company in procuring from the Legislature at its next session a franchise in conformity with the accompanying general form of an ordinance, *provided* that said Oakland Railroad Company shall notify the Council of their acceptance of the same on or before the first day of December next.

On January 30, 1866, a copy of the bill was transmitted to the Legislature, with the amendments proposed by the Council. The company obtained its franchise from the Legislature, May 3, 1866. This special Act granted to the Company the right to lay a track from Broadway Wharf to the University Grounds, the track within the city to be a double one, should the company so desire. Along the Telegraph Road only a single track could be laid. The fare for a single passenger was limited to ten cents, and sixteen tickets must be sold for one dollar. The franchise was to last thirty years; the speed was not to exceed eight miles an hour; and at the expiration of ten years the rates of fare were to be again fixed by the Legislature. The names of the original incorporators of the company are: F. Delger, E. B. Walsworth, Israel W. Knox, A. Hersey, S. E. Alden, I. H. Brayton, F. E. Weston, F. K. Shattuck, B. F. Ferris, S. H. Willey, George Goss, George H. Fogg.

On March 12, 1866, Mr. Jayne presented a petition of property-holders and residents on Fourth, Eighth, Twelfth, Broadway, and Market Streets in favor of a charter being granted by the Legislature for the building of a horse railroad on said streets. Also a bill granting to R. J. Vanderwater and his associates the right to construct said railroad, and a petition from that gentleman soliciting the Council to recommend to the Legislature the passage of said bill.

On January 18, 1868, in the matter of the Oakland Railroad Company, the Council passed the following resolutions:—

Resolved, That the Council of the city of Oakland are opposed to the attempt to revive the Oakland Railroad franchise by an extension of time for commencement of the same.

Resolved, That we are in favor of granting a new franchise under proper limitations.

Resolved, As the sense of the Council, that any grant for a horse railroad should compel the company asking for a franchise to complete the same within one year from the time of the grant, and to commence the same within six months.

Resolved, That the Clerk forward to our Senator and Assemblymen a copy of these resolutions.

This bill was duly approved February 4, 1868, and the time for completing the road so extended that, under the law, one track should be laid within the limits of the city within three years and six months from the date of the passage of the first Act, and the whole road completed within five years from that time.

On May 2, 1870, the right of way was granted to F. K. Shattuck and others for a street railway to commence at the charter line on the east of the city on Twelfth Street; thence upon and along said line of Twelfth Street to Broadway; thence down Broadway to Eighth Street; thence westerly along Eighth Street to Wood Street; thence southerly along Wood and Pine Streets to Railroad Avenue; another franchise being at the same time granted to said parties for a line commencing at the water front on Adeline Street and running thence along that thoroughfare northerly to the charter line. On May 24th a petition was received by the Council from B. F. Mann and others for the right to lay and operate an iron railroad commencing at Broadway, at its intersection with San Pablo Road, along that thoroughfare to the charter line. On August 29th an ordinance granting to certain persons the right and franchise for constructing, building, and operating and maintaining a street railroad from San Antonio Creek along the center of Market Street to the northern charter line of the city, was passed. On May 22, 1871, an ordinance granting to Edward Tompkins, Thomas J. Murphy, and others the right to lay down and maintain an iron railway in certain streets, and, June 2d, another giving a like privilege to J. S. Emery and others for a steam railroad through Peralta Street, were passed. This latter was again granted a franchise in 1872. June 24, 1872, an ordinance granting to the Oakland Central Railroad Company a franchise to lay a track and operate a line on Second and Franklin Streets was passed, and, on December 9th, a like privilege for certain other streets was granted to H. F. Shepardson, Theodore Meetz, H. S. Slicer, and J. E. Whitcher. This last is the Alameda Road. On March 10, 1873, certain privileges were granted to the Oakland, Alameda & Piedmont Railroad Company. On December 8, 1873, an ordinance was passed consenting to the abandonment of the portion of the franchise, so far as regards Eighth Street, to the Oakland, Brooklyn & Fruit Vale Railroad. On March 9, 1874, the Oakland Railroad Company were authorized to lay down an additional track from Fourteenth to Durant Streets. On September 21, 1874, an ordinance granting to the Alameda, Oakland & Piedmont Railroad Company the right to lay down an iron railroad on certain streets was passed. On April 12, 1875, the right to lay a track in certain streets was granted to C. T. Hopkins and others. On February 7, 1876, the same privilege was granted to the Northern Railroad Company as far as regards Cedar Street. On March, 13, 1876, the right to construct a street railroad for horse-cars was granted to the East Oakland, Fruit Vale, and Mills' Seminary Railroad Company. On March 20, 1876, the same right was given to Grant I. Taggart and others for a line extending from West Oak-

land to the eastern limits of the city. On April 24, 1876, the right to construct a railroad on Market Street was granted to the Oakland, Berkeley, and Contra Costa Railroad Company, and, on June 26th, a franchise was given to the Broadway and Piedmont Railroad Company. On November 12, 1877, E. C. Sessions and others were granted like privileges on East Eleventh Street. On February 17, 1879, an ordinance granting to A. C. Dietz and associates the right to lay a steam railroad in the city was passed, the "Elsely Ordinance" being lost at the same meeting, and, April 3, 1882, an ordinance was passed granting to the California and Nevada Railroad Company the like privileges.

In the year 1864 the glory and promise of the Alameda Agricultural Association was dimmed by the selling of their buildings on Washington Square by E. Hoskins, who held a mortgage over the property, while a similar fate subsequently befell the Agricultural Pavilion. In this year (1864) there were passed by the Legislature, "An Act to authorize the City Council of Oakland to improve streets, lanes, alleys, courts, and places. To have power to lay out new streets; to grade and improve; notice to be given of intention to improve; remedy of persons aggrieved; to file a remonstrance; owners of property to petition for improvements; how contracts are to be made; duty of Marshals; assessment for expenses; city to pay for improvements on its own property; when done on one side of the street, the lots on that side only to be assessed; City Marshal to make assessments; warrants to be attached to the assessments; assessments to be a lien on the property; contractors to collect; appeal to counsel; contractors may bring suit;" and, "An Act supplementary to an Act entitled, 'An Act to Incorporate the city of Oakland, passed March 26, 1854. Abating nuisances within city limits; providing building for municipal purposes; licenses; election of Justice of the Peace.'"

In April, 1864, a Methodist church was commenced on the corner of Ninth and Washington Streets, the building to be sixty feet long and thirty-eight in width, and to cost five thousand dollars; the architects being Hagland & Newsom. The building was dedicated in August, 1864. On June 11th, the *George Goss*, afterwards named the *Louise*, a new steam ferry-boat, was launched in San Francisco; she being intended to replace the *Contra Costa*. In the same month, Messrs. Leland & Harwood opened a lumber-yard at the foot of Broadway. In August, 1864, the North Oakland Homestead Association filed its articles of incorporation, having as its object the purchase of large tracts of land in Oakland Township, and the subdivision of them into lots for the members. Capital stock, twenty thousand dollars, divided into one hundred dollar shares: Trustees, J. S. Emery, Thomas Bass, D. N. Hawley, T. B. Bigelow, Elijah Bigelow, J. G. Darves, W. W. Crane, Jr.: while, on the 25th of the same month, the College Homestead Association filed its articles, capital stock, sixty-two thousand five hundred dollars, divided into shares of five hundred dollars each. Trustees: William Sherwan, E. B. Walsworth, Ira P. Rankin, L. B. Benchly, Cyrus Palmer, John W. Dwinelle, J. B. Bigelow. On August 22, 1864, A. Muller, opened a hotel at the corner of Broadway and Second Streets; while we learn that in the month of September, the Oakland Flouring Mill was doing a large and profitable business, under the direction of Potter & Co.

1865.—On January 25, 1865, the Oakland *News* passed into the hands of Gagan & Watson, by whom the paper was continued to the full standard of its former excellence. On January 27th, the Oakland Union Homestead Association filed its certificate of incorporation, the capital stock of the company being twelve thousand five hundred dollars, divided into fifty shares of two hundred and fifty dollars each, its Trustees being, Thomas Bass, G. McAmes, W. W. Crane, Jr., W. Leonard, and E. Bigelow. In this year the Pacific Novelty Iron Works were fully established. This company located themselves at Oakland Point in the month of April of the previous year under the superintendence of J. M. Wooster, the other officers of the company being, B. D. T. Clough, President, and William McDonald, Secretary. On February 25, 1865, there died one of Oakland's most respected citizens. John McCann, by his social qualities, generous disposition, and upright bearing, had won for himself the good-will and sincere friendship of all who knew him. One of the earliest pioneers and residents of the city, he was widely known. He received a military funeral at the hands of the Oakland Guard, of which he was a member.

On the morning of Saturday, March 25, 1865, one of the most destructive fires that ever visited the city of Oakland, broke out about two o'clock in a restaurant fronting on Seventh Street, immediately in the rear of a saloon kept by N. S. Knowlton, and owned by a Frenchman named M. Normandin. Of this disaster the *News* says: "The wind was blowing hard at the time from the northwest, sweeping the flames and burning cinders on the roof and rear windows of the Delger Block, enveloping them in the devouring element. The furniture store of Myer, on the east, was soon involved in the flames, as were the dwelling-house and bakery of D. L. Smith, the undertaking establishment of W. W. McKenzie, and also the residence fronting on Sixth Street, owned by Mrs. Davis, and occupied by Mr. Watson, publisher of the *News*. In half an hour, perhaps, the flames had communicated to all the buildings on the entire block, save a little isolated one on the northwest corner, which alone of all the structures in the whole block, was saved. The people turned out *en masse* to render what service they could in saving the buildings. The enterprising and comprehensive statesmen who have had the control of our municipal affairs, and have thus far set their faces like flint against the useless extravagance of purchasing a few hundred dollars' worth of fire apparatus, relieved all efforts for the salvation of the buildings, and, as a matter of course, every one tried to save whatever merchandise and furniture he possibly could. What causes peculiar chagrin and mortification is the fact that a hook and ladder company of even twenty men, properly organized, could have saved five-sixths of all the property destroyed. The Common Council, notwithstanding repeated calls have been made for fire apparatus of some kind, have steadfastly ignored the palpable necessity, and to-day we regard them as being mainly responsible for the loss of property suffered on that occasion. Their vaunted economy has proved to be of the 'penny wise pound foolish' order. The financial acumen displayed by the Common Council in saving one thousand dollars to the city at an expense of fifty thousand dollars' worth of property, should raise them wonderfully in the public estimation and entitles each individual member to a mausoleum when he 'shuffles off this mortal coil.' The amount of the matter is, the people of Oakland—the property-holders—pay their taxes in order that they may have protection for their lives and property;

and the Common Council is expected to furnish such protection promptly and effectively. The paltry excuse that the old debt should first be liquidated before any new one is incurred, so far as it relates to the trifling outlay for a fire-engine or hook and ladder apparatus, will not be tolerated hereafter. The people are willing to be taxed for this purpose and have always been willing; the very knowledge spread abroad by the San Francisco papers that the city of Oakland has not even a solitary bucket to be used in case of fire, is calculated to retard the progress and advancement of our town by discouraging people from purchasing and improving property in our midst. This fact alone will do us more damage than even the destructive fire of last Saturday. It is really a disgrace to us as a city, but the shame rests entirely on the heads of the Common Council. We trust that this lesson so dearly purchased will not be entirely lost, and that measures will be taken, even at this late date, to organize a fire department that will secure us somewhat from a repetition of the late conflagration."

In the month of April, 1865, the post-office was located in the Valdez Block with Doctor Yard as Postmaster, a position that was felt to be most convenient.

The event of greatest moment that occurred in the year 1865 was, unquestionably, the assassination of Abraham Lincoln in Ford's Theater, Washington, District of Columbia, by John Wilkes Booth, on the evening of the 14th April. Sixteen years later, July 2, 1881, another and more atrocious deed of the blackened hand of the assassin called one more President of the Union to cross the dark river. In Abraham Lincoln and James A. Garfield civilization lost two of its chiefest ornaments. Perhaps no such dual calamity had ever occurred before to any nation; is it a wonder then that the whole land was twice flooded with tears, and each mourned as if for a father? In Alameda the intelligence of these deeds was received with every public demonstration of grief, while appropriate resolutions were passed, and ceremonies observed.

The following beautiful lines on the death of President Lincoln from the gifted pen of Sister Annie Fitzgerald, of the Convent of Notre Dame, San José, would appear to be equally fitted to that other dastardly deed, and may appropriately find a place here:—

Has he fallen, our Country's Ruler?
Has he fallen, our Country's Chief?
'Mid the gloom of a Nation's mourning,
And the wail of a Nation's grief.

Has he fallen, our Country's Ruler?
O hearts that have bled and must bleed,
Has he fallen in the hour of his triumph,
And the hour of our sorest need?

Has he fallen, whose hand hath guided
Our ship through the raging waves,
Till the roar of the battle's tempest
Died low o'er its mound of graves;

Till the clouds from our skies seemed sweeping,
And the seething billows to cease,
And the light of a happier future
Dawned bright on the shores of peace?

Shame, shame on the soul and manhood
Of even his veriest foe,
That grudges his deadliest scorning
To the dastard that dealt the blow.

Aye, the wrath of a widowed Nation
Be poured on the guilty head;
But shame not the name of the millions
With the blot of a crime so dread.

With the blot of so dark a murder,
With the curse of the hearts that bleed,
Nay, even the cheek of treason
Must blush at so foul a deed.

Droop lower, O sacred banner!
Droop lower thy folds to-day;
For the crimson blood of our Chieftain
Hath hidden thy stars away.

Has he fallen, our Country's Chieftain?

Aye, Patriot souls, to-day

The heart in his generous bosom

Lies cold as the pulseless clay.

Oh! the ban of a Nation's hatred,

And the blight of a Nation's woe,

And the curse of a Nation's vengeance

On the hand that has laid him low.

On the hand with its fiend-like malice,

On the heart that the crime hath nursed,

On the life of the base assassin,

Let the lowering tempest burst.

For never a kindlier foeman,

And never a truer chief,

Hath passed from a Nation's anguish

'Mid the wails of a Nation's grief.

Droop lower, O mourning banner!

Droop low o'er our Country's breast;

O'er the North in its widowed glory,

And the orphaned East and West.

Droop low o'er the wrongs and sorrows,

And the hopes that are passing away;

Toll drearily, bells, your sad dirges,

Toll drearily, bells, to-day.

Pour out the deep voice of your tidings,

O sonorous cannon's deep mouth!

Weep, weep o'er our loss and thy future,

Thy bitterest tears, O South.

Weep, North, in thy widowed glory,

For the heart that hath loved thee best,

And wail o'er your martyred father,

O orphaned East and West.

Wail, wail for the clouds that gather

So dark o'er our stormy way;

He has fallen, our Country's Ruler,

He has fallen, our Country's Stay.

At the meeting of the Council held April 18, 1865, consequent upon the news of President Lincoln's death, Mr. Shattuck offered the following resolution, which was unanimously adopted:—

Resolved, That the untimely death of the Chief Magistrate of the Nation at this particular crisis, is a calamity that must be deplored by every good citizen, coming as it does at the very commencement of the fruition of the great and patriotic measures which he virtuously maintained and vigorously upheld during the long and trying period of his public career. We confess that our grief is mingled with the fear that no living man can accomplish all that his patriotic devotion could have achieved. In view of the great loss which the people of the American Continent, and of the whole civilized world, have sustained in the catastrophe, we recommend that all places of business be closed on the 19th day of April, 1865, and that our citizens generally participate with the people of the United States on that day in rendering homage to the history and memory of the Great Departed.

In Oakland the signs of mourning were general, the newspapers turning their column rules, and the public and many private buildings being draped in black.

On October 24, 1865, petitions were received from W. W. Beggs & Co. and P. B. Brumer, praying for permission to erect gas-works in the city of Oakland, which, November 21st, were handed over to a special committee for a report. Another petition was received for a like purpose on November 28th, from A. C. Dietz and E. W. Travers. On December 8th, Joseph G. Eastland and W. W. Beggs were granted the privilege sought, by ordinance, but they were succeeded by the Oakland Gas Light Company, who, July 3, 1866, were granted permission to erect their works on Block No. 6, bounded by First, Second, Washington, and Broadway Streets, further time being also given for the completion of the building. On December 4th a committee of the Council was appointed to ascertain upon what terms the company would light the city with gas, and report a contract, which they did on the 19th of the same month, stating that the Oakland Gas Light Company had covenanted to erect lamp-posts in accordance therewith. As these were the first gas-lamps in the city let us state where they were placed: one on the southerly end of Broadway; one on the southeast corner of Broadway and Water Street; one on the southwest corner

of Broadway and First Street; one on the southwest corner of Broadway and Second Street; one on the southeast corner of Broadway and Third Street; one at the southwest corner of Broadway and Fourth Street; one at the southeast corner of Broadway and Fifth Street; one at the southwest corner of Broadway and Sixth Street; one at the southeast corner of Broadway and Seventh Street; one at the southwest corner of Broadway and Eighth Street; one at the southeast corner of Broadway and Ninth Street; one at the southwest corner of Broadway and Tenth Street; one at the southeast corner of Broadway and Eleventh Street; one at the southwest corner of Broadway and Twelfth Street; one at the southeast corner of Broadway and Thirteenth Street; one at the junction of Broadway and San Pablo Road.

On Eighth Street: one on the northeast corner of Washington and Eighth Streets; one on the southeast corner of Clay and Eighth Streets; one on the northeast corner of Jefferson and Eighth Streets; one on the southeast corner of Grove and Eighth Streets.

On Twelfth Street: one on the northeast corner of Franklin and Twelfth Streets; one on the southeast corner of Webster and Twelfth Streets; one on the northeast corner of Harrison and Twelfth Streets; one on the southeast corner of Alice and Twelfth Streets; one on the northeast corner of Jackson and Twelfth Streets.

On Seventh Street: one on the northwest corner of Washington and Seventh Streets.

The contract referred to above stipulates that for the period of ten years, from July 1, 1868, the gas-lamps to be used in the streets of Oakland shall be erected and maintained by the Oakland Gas Light Company. For the first five years, the company shall receive twenty-two and a half cents per night per lamp, until the number may exceed two hundred and fifty, when the price shall be twenty cents per night for each lamp used. At the expiration of five years, the price is to be fixed by a commission of three persons, one of them to be named by the company, one by the City Council, and the third to be elected by the two thus chosen.

On January 9, 1871, J. W. Stow, A. P. Brayton, Ira P. Rankin, P. P. Felt, Josiah Belden, E. J. Pringle, C. T. Hopkins, and W. W. Montague petitioned for the right to lay down pipes for distributing coal-gas through the city, which was referred to the Committee on Street Lights and Lamp-posts. In the mean time the Oakland Gas Light Company becoming aware of this petition, communicated with the City Council, setting forth certain, to them, good reasons why an opposition company should not be permitted to locate in Oakland. On January 23d another petition for the erection of gas-works, signed by Philip Cadoc, Henry F. Williams, and William H. Devalin, was received, while, on the same day a petition with the names of one hundred and eighty-two of the citizens of Oakland was presented to the Council, praying that the franchise asked for by J. W. Stow and his associates be granted. The committee sent in their report in due course of time, and on the 11th February Mr. Stow and his partners withdrew their application, stating, "they have observed the report of your committee, touching the franchise applied for, and the conditions recommended in the ordinance reported. These conditions seem to us to discriminate injuriously against us in the contest and competition sure to arise, and could hardly fail to discourage the investment of capital in a new enterprise, and one, too, which is always unremunera-



Wm. Poinsett

tive at the commencement," therefore, February 13th, they were granted the desired permission. On the same date the Council received a petition for the like privileges from Charles Webb Howard, Sextus Shearer, C. T. N. Palmer, F. K. Shattuck, A. C. Henry, and J. West Martin, under the style of the Home Gas Light Company, who were granted a franchise after considerable discussion in the Council. Meanwhile, Messrs. Caduc and Williams desired that their petition should be attended to, and on May 15th they, too, were granted a franchise to erect gas-works and lay pipes within the city limits.

In the month of March, 1865, the Contra Costa, or Minturn, ferry line of steamers was sold to the San Francisco and Oakland Railroad Company, and on April 1st that line was extended to the Brooklyn station of to-day. In the month of September the Oakland and Alameda Water Company, the immediate object of which was to bring the water of Temescal Creek into Oakland, was formed, and on November 28th the office of City Surveyor was created.

1866.—Up till January, 1866, no community in California had progressed so rapidly as Oakland, while in the preceding four years its population had doubled. The improvements that were made within that time, as well as those then making, were of a substantial and permanent character. Elegant and commodious residences were erected in all parts of the city, while there had been gathered within her borders a circle of society distinguished for its intelligence and refinement. As a general rule her people owned the property they lived upon, and considered themselves fortunate in possessing homes surrounded by so many advantages. The beauty and fertility of the adjacent country, the excellence of the roads diverging in all directions from the city, the delightful drives, the healthful invigorating atmosphere, and, withal, its proximity to San Francisco, proved sufficient guarantees not only of the stability of Oakland, but also of its rapid growth. The city by this time had become a perfect Arcadia. The oaks had doffed their old foliage and donned a new coat of verdant leaves, so green that the eye and mind is lost in admiration of nature's favorite tints. The carpet beneath the stately limbs of those primeval monarchs, although similar in color to the foliage above, is nevertheless so diversified by the many wild flowers of spring, studding the moss-like gems in an artificial scene, that the relief from a universal sameness is most complete. The homes of the people showed the luxuriant blossoms of the peach and the pear, while their well-kept flower-gardens gave character to the surrounding scenery: they furnish the idea that civilization is around ready to mitigate any sameness incidental to nature's efforts.

On January 23, 1866, Joseph B. Biddleman, President of the Oakland and Alameda Water Company, petitioned the City Council to the following effect: "That they propose conducting the waters of Temescal Creek to the city of Oakland, for the purpose of supplying the said city and the inhabitants thereof with pure fresh water. That to accomplish such an object they have already constructed reservoirs near the head-waters of said creek, and have expended large sums of money in furtherance of their designs," etc. This subject was referred to the Committee on Streets and Buildings, and was consigned to the purgatory of further action. Indeed the formation of water companies for the supply of the citizens of San Fran-

cisco and Alameda Counties with water would appear to have been a popular amusement in the year 1876. Besides the one mentioned above, we have the Amador Water Company: Certificate filed March 15, 1866; Incorporators: F. K. Shattuck, J. West Martin, J. S. Emery, J. W. Dwinelle; Capital stock, one million dollars; Object: To supply the city of Oakland and towns of Alameda County with fresh water from springs, wells, the Laguna in the valley of Amador, and the Laguna Creek, from Las Pocitas in Livermore Valley, and from all other available sources. Contra Costa Water Company: Filed June 26, 1866; Incorporators: A. Chabot, Rein Chabot, and Henry Pierce; Capital stock, two hundred and fifty thousand dollars; Object: To supply the cities and towns in the county of Alameda, and the inhabitants thereof with pure water; Place of business, Oakland, California. College Water Company: Filed June 27, 1866; Incorporators, William Sherman, John W. Dwinelle, J. A. Benton, S. H. Willey, and Robert B. Swain; Capital stock, one hundred thousand dollars; Object: To furnish fresh water to the city of Oakland and the towns in the county of Alameda and the inhabitants thereof, from springs, wells, and other available sources; Place of business, Oakland.

On July 3, 1866, A. Chabot, President of the Contra Costa Water Company, presented a petition to the Council to procure the right to lay down pipes in the streets, alleys, and lanes of the city of Oakland for the purpose of supplying its inhabitants with pure fresh water, and referred to a Committee composed of Messrs. Shattuck, Anderson, and Barstow, and upon their recommendation, on July 18th, an ordinance was passed granting them the privilege prayed for. On the same date like privileges were granted to the Oakland and Alameda Water Company.

In his message of March 15, 1869, Mayor Merritt says, in respect to the introduction of water into the city of Oakland: "The water of the Temescal Creek has been recently introduced into this city by the Contra Costa Water Company, which is composed of gentlemen of energy and ability.

"The water is brought from the creek to a reservoir on College Hill—one hundred feet above the base line of the city—a distance of four miles, through iron pipes. From the reservoir the main pipe extends along Telegraph Road through Broadway to Broadway Wharf, a distance of about two miles. From the main pipe branches are being extended along various streets as the demand requires. Thirty-nine thousand seven hundred and fifty-eight feet of pipe are now laid. During eight or nine months of the year the natural flow of water in the Temescal Creek is sufficient to supply the requirements of this city, and in order to afford an abundant supply during the three or four months of dry season, the company is constructing a large reservoir in the Coast Range of Mountains about four miles from this city, which, when finished, will hold not less than two hundred million gallons. More reservoirs can be made as the demand increases, by which means the city can be furnished with a constant and abundant supply of pure mountain water."

It may be well here to give a complete description of the works of the Contra Costa Water Company, for we believe that but few people appreciate their magnitude and realize the immense expense with which the enterprise has been conducted.

It is known to every one that an abundant supply of water can be obtained from wells anywhere in Oakland, at a depth varying from thirty to forty feet. About four

feet from the surface of the ground there commences a stratum of hard-pan almost as solid as the lightest formations of sandstone. When this has been penetrated to a point which is a little below the tide level, there is found an abundance of fresh water, rather hard, but very clear and pure. A large number of people still obtain water from these sources, but some of the wells have become foul, and in a few instances the supply has altogether failed. Wells in thickly settled neighborhoods are looked upon with distrust, and there have been instances where abandoned wells have been turned into cesspools. This would tend to poison every well in the vicinity, for the water evidently circulates freely beneath the hard-pan.

The Contra Costa Water Company was organized in June, 1866, as we have already remarked, and commenced supplying customers in 1867. It had a capital of two hundred and fifty thousand dollars. Water was temporarily obtained from Temescal Creek. There are now (in 1883) laid in all one hundred and thirty-three miles of pipe, running through Oakland, East Oakland, and part of the Oakland Valley. It is estimated that five thousand six hundred and thirty-eight persons are supplied, using about seven million gallons daily, the maximum rate of consumption occurring in the hot weather, when hundreds of gardens and lawns are irrigated. We have shown that a number of companies had been incorporated, but none of these, with but a single instance, have displayed any signs of vitality. That exception was the company owning the water rights in Fruit Vale, and its franchise was purchased by the Contra Costa Water Company.

The water is obtained from the higher hills in the rear of Oakland, distant about five miles. In the vicinage of the main reservoir, which we shall notice presently, the company owns all the land draining into it, consisting of several thousand acres, or rather has an interest in this domain that is sufficient to prevent its use for any improper purpose. The mountain streams at the head of Temescal Creek are of extreme purity. Only a limited number of cattle are allowed to graze on the hills, and there is no drainage from them during the long summer months, the water coming from within the mountains into reservoirs provided by nature. In the winter one of these rivulets furnishes all the water that is required, running a clear stream, and the surface drainage from the hills passes over nothing but grassy earth. Besides the brooks tributary to the Temescal Creek, the waters of Fruit Vale are utilized. The latter stream rises in the rugged hills above the valley bearing its name, and is as pure as any water in the world. In addition to what can be obtained from the hills, water is taken from artesian wells at Brooklyn, of which we will speak farther on.

What is now called Lake Chabot was constructed about 1868-69, two years having been consumed in building the series of dams that back up the waters and create the lake. The eastern branch of Temescal Creek, for a mile or more, ran between two steep hills about seven hundred feet apart. Instead of forming a gorge, as in most cañons, there was a valley some thirty or forty acres in extent. An honest farmer had there his vegetable garden and potato-patch, and doubtless little dreamed that at some future time what was then his premises would be covered by sixty feet of water. Unless one has been in the California mines he cannot well appreciate the amount of work requisite to dam up a valley like this. The first step was to remove all the soil from what was to be the bottom of the lake. The rock on each side

where the dam was to adjoin, was scraped clean and smooth. A crevice big enough to admit a needle would soon lead to the destruction of the work. The little stream of water that would pass through would become larger and larger, and, in the course of a few days or weeks, the heaviest embankment would be swept away by the waters that it had imprisoned, with a force that would be irresistible. There was tamped upon the solid, rocky bottom, and the rock walls on either side, tenacious clay, and clay and earth mixed and laid upon it. The dam consists of three terraces or, it would be correct to say, it was built in three sections. For a distance of six hundred feet there was placed a solid bed of earth; upon this, another layer of earth four hundred feet wide, and then the third and last, tapering to the top, now thirty feet wide. A large quantity of this earth was placed in position by slicing from the hillsides, but the bulk of the work was done with horses and carts. From the bed-rock, on which building was commenced, to the top of the dam, in a perpendicular line, the distance is eighty-six feet. The inner side of the dam is covered with broken rock, to prevent any washing away of the earth. To provide for the surplus water, in winter, there is at one end, a raceway about twenty feet square, and when the water is rising rapidly the gate is raised and danger of overflow averted. Lake Chabot is about four hundred feet wide and three-quarters of a mile in length. The capacity is estimated at two hundred million gallons. The outlet is controlled by a vat near the dam, connected with the valve on the discharge-pipe. The water is clear, but of a deep greenish tint; the banks are clear, and no animals are allowed to pasture in its immediate vicinity.

Until June 1, 1872, all the water used in Oakland came from below Lake Chabot and from Fruit Vale. From the lake the water flows through the original bed of Temescal Creek for a mile and a half. The earth through which it passes acts as a filter, and the water is pure as the clearest crystal when it enters the mains leading to the reservoir on Academy Hill, between McClure's Academy and the Theological Seminary. Near the former residence of the late J. Ross Browne, a mile above the village of Temescal, there is a small dam, and into this is the main of which we speak. The elevation of Lake Chabot is four hundred feet above Broadway Wharf; the dam last mentioned is two hundred feet above that level, and the reservoir on Academy Hill is one hundred and one feet above it. Hence, the water in use in Oakland has a head of a hundred feet, or a pressure of about fifty pounds to the inch. Friction greatly reduces this, but, when the water is still, a gauge will show the pressure we have named. This reservoir is one hundred and four feet square on the top, and the sides slope inwards, so that at the bottom it is thirty feet deep and about forty feet square; its capacity is one million gallons. As it is built of brick and lined with cement, there is not a single drop of leakage. Near the surface there is an escape pipe, so that the water cannot overflow. Water is brought into the city by two mains. There is a pipe from the bottom of the reservoir, for working out the mud that might accumulate, and when occasion requires the reservoir is carefully cleaned.

The East Oakland and Fruit Vale supply may thus be described: On an elevated locality near the head of Fruit Vale, there is a distributing-reservoir similar to that on Academy Hill, and of the same capacity. From that there is a main leading directly into Brooklyn (East Oakland). In Brooklyn two artesian wells have

been used, which are bored through the tide-lands, notwithstanding which the water is clear, soft, and pure. It is forced by steam-pumps into the mains, but is only drawn upon when extreme necessity exists.

While on the subject of water companies, it may be stated that, on February 12, 1872, the Lake Tahoe and San Francisco Water Works Company were granted the right to lay pipes through the streets of Oakland, while, on October 15, 1877, like privileges were granted to the Oakland and Alameda Water Company.

As long ago as April 29, 1854, the subject of City Water Works was mooted. In his message to the Council of that date, Mayor Carpentier regrets that the charter confers no power upon the City Council to authorize the construction of water-works by which some of the mountain streams might be brought into the city at a comparatively small expense, thereby affording an abundant supply of water both for common uses and for the extinguishment of fires. It was left for the Contra Costa Water Company to confer this boon. Suddenly it entered the heads of the City Fathers that Oakland should own its water-supply; therefore at a meeting held December 22, 1873, Mr. Spaulding called the attention of the Council to the matter, and moved that a committee be appointed to investigate the subject and report. Messrs. Spaulding, Knox, and Larue were nominated, and on January 19, 1874, made the following report:—

“Your Committee to whom was referred the matter relating to supplying the city with water, also the feasibility of the city owning its own water-works, have carefully examined the various sources from which a sufficient supply can be obtained, interviewed the owners of the different water rights for whatever information could be gained from them; examined the reports of Water Boards of Eastern cities who own their own water-works, and now beg leave to report the following as the result of their labors.

“In examining the source of the supply of the proposed works of the San Francisco and Oakland Water Company situated on the Calaveras Creek, thirty-eight miles from Oakland, we find an abundant supply of good water at an elevation of five hundred and sixty-three feet above low-water mark. Oakland can be supplied with an abundance of good water from this source through a twenty-two-inch main at a cost, say:—

“Dam and reservoir.....	\$ 98,473 00
Thirty-eight miles, twenty-two-inch pipe.....	797,500 00

“The above is exclusive of the right of way, franchises, distributing-reservoirs and distributing-pipes. When the proposed dam at this place is constructed at a height of one hundred and twenty-four feet, the reservoir is estimated to contain eight thousand six hundred and forty-seven millions seven hundred and forty-four thousand one hundred and seventy-one gallons.

“About eight miles below the above-mentioned locality, at a place called Suñol, we find a location made by Charles Felton and others, who are making preparations to construct a dam, which, when completed, will be thirty feet in height and about six hundred feet in length, and will flow the water to the railroad track. The bed of the creek at this point is about two hundred feet above low-water mark. Owing to

the peculiarities of the location, the dam will be required to be constructed of solid masonry, the cost of which has been variously estimated at from two hundred to two hundred and fifty thousand dollars. We understand the reservoir is to be constructed in another locality, of what capacity, or at what cost we have no definite information. The cost of thirty miles of twenty-two-inch main will be about six hundred and thirty-seven thousand five hundred dollars. To these amounts are to be added the cost of reservoirs, distributing-pipes, street-mains, connections, distributing-reservoirs, water rights, etc.

"Your Committee have also visited the Contra Costa Water Works, and were kindly allowed to examine the books and plans belonging thereto. We find that this company owns and controls the right to the waters of Temescal, Sausal, and San Leandro Creeks. The drainage area of the Temescal Creek is equal to six square miles; that of Sausal Creek, about six square miles; that of San Leandro Creek, and its tributaries, at about seventy square miles, which, together, is capable of furnishing a daily supply of thirty-five to forty millions of gallons, and which, according to the reports of other water companies, will supply a population of over five hundred thousand people. This company have constructed a reservoir at Temescal, Sausal, and College Hill. The Temescal has an elevation of four hundred and twenty-five feet; Sausal of three hundred feet; and College Hill of one hundred feet above the city base. These reservoirs have a united capacity of two hundred and one millions five hundred thousand gallons. The company have only recently acquired the right to the water of the San Leandro Creek. The distance from the city of Oakland is eight miles. They have about sixteen hundred acres of land, which will be flowed at an average depth of one hundred feet, and are preparing for the construction of a dam which is to be one hundred and fifty feet in height. The dam is to be tapped for the supply-pipe at an elevation of one hundred and fifty feet above city base, which, when added to the height of the dam, will give a pressure equal to three hundred feet in the city, less the friction. The following is the estimated cost of this part of their works:—

"Dam-gates, waste-ways, etc.....	\$150,000 00
Land for Reservoirs.....	50,000 00
Constructing new roads, bridges, etc.....	25,000 00
Clearing lands.....	5,000 00
Distributing-reservoirs.....	10,000 00
Eight miles of twenty-two-inch pipe.....	170,000 00
Street-mains and connections in addition to those now laid.....	75,000 00
Incidental Expenses.....	15,000 00
Total.....	\$500,000 00

"The cost of the present works of the company now in operation, including the San Leandro purchase, amounts to five hundred and eighty-one thousand dollars. The total number of water-takers is twelve hundred and ninety. The average monthly receipts of the company are about five thousand dollars. The approximate receipts for the ensuing year is seventy-two thousand dollars. The annual increase of the receipts, as appears from the company's books, has been about thirty-five per cent., and, with a further outlay for mains and distributing-pipes of from fifteen to twenty thousand dollars, the receipts would be increased considerably above those figures.

"Your Committee have also examined the reports of Engineers and Water Boards of several Eastern cities, and submit them for your consideration and benefit such information as may tend to enlighten the Council upon the subject under consideration. It must be borne in mind that there are necessarily many items of expense incidental to maintaining water-works where they are subject to the damaging effects of freezing and thawing for several months in the year, which do not follow in a climate like ours.*

"Your Committee trust that it may not be considered as digressing too far from the subject-matter of their report to present in connection therewith a few facts touching the character of the materials of which the water-pipes of this city are now composed.

"We feel warranted in making this digression because the public faith in the virtue of said pipes has been through ignorance, we think, and which false representations have seriously impaired.

"We find that the water-pipes of the Contra Costa Water Company, now laid in this city, are even superior in many respects to those laid in those cities (at the East) above cited. The pipes of this company are constructed of the best materials, well riveted, and lined with cement, and coated with asphaltum, and before being used are subjected to a hydraulic pressure equal to a pressure of four hundred feet head. In the annual report of 1873 of the City Government of New Jersey we find the following remarks and quotations on the use of cast-iron and wrought-iron cement-lined pipes, made by an engineer appointed to investigate this subject. 'The action of Passaic water on cast-iron as shown in existing conduits and distribution-pipes develops the formation of accretions which in their early stage are small in size and hemispherical in shape, covered with a thin scale and filled with a substance resembling black mold slightly moist, and of an offensive odor. They appear to increase rapidly in bulk and numbers until the entire inner surface of the pipe is covered with them. Their growth not only diminishes the diameter of the pipe but affects its stability, as they destroy the metal beneath them, changing its characteristics and tending to render it unequal to the strain of even light hydraulic pressure. They also taint the water, imparting to it a discernible flavor.

"The city of Portland has a large main of over sixteen miles long of iron and cement pipe. In our present thirty-six-inch conduit there were two thousand feet of such pipe laid, however, before the improvements in jointing and lining were made, which rendered the pipe of the American Water and Gas Pipe Company so superior to others of the kind.'

"Your Committee have corresponded and had personal interview with the officials of Water Boards of various cities where cement-lined pipe has been laid, and in reference to our inquiries they have not only indorsed such pipe but praised it in terms of the highest commendation.

"We find by referring to a report of the Water Company of Saratoga that over twenty thousand feet of cement-lined pipe were laid in 1846 under an eighty foot head, and that it has cost comparatively nothing for repairs.

*It is not necessary to produce those statements compiled from the reports of Water Boards of Eastern cities.

"The following is an extract from the report of W. S. Whitwell, Esq., former Chief Engineer of the Cochituate Water Works of Boston, Massachusetts, and also Chief Engineer of the Jersey City Water Works, to the Board of Water Commissioners of Plymouth: 'The next question was the kind of pipe to be used. Two kinds of pipe were proposed; the cast-iron pipe and the iron-cement pipe known as "Ball's Patent." With the latter I had been acquainted for several years, and from its cleanliness, cheapness, and durability I was much inclined to advise its adoption without any qualification. As a precautionary measure I proposed that a Committee of your Board should visit Rockland in Maine, where these pipes had been in use for nearly two years, to learn there if any objections existed in their use, and if they had answered the expectations that had been formed of them. Your Committee returned so well satisfied with the report received of them that they were adopted without further hesitation. The great objection to the iron pipe is found in the rapid incrustation which takes place inside of the pipe and very soon seriously diminishes its capacity; this becomes a matter of much more consequence with small pipes than with those of larger size, and while in a thirty-inch pipe the diminution of capacity would be scarcely perceptible for seven or eight years, in a pipe of ten inches diameter the incrustation of four years would probably reduce the capacity one-fifth.

"The iron and cement pipe is free from the objection; the bore remains always of the same diameter; always clean, and becomes harder and more durable by age. With proper care in selecting the best quality of cement in the manufacture of the pipes and in making the joints I consider this as the best water-pipe now in use for the supply of towns and villages.' [Here follows a list of twenty-four of the principal cities and towns that have used and are using the wrought-iron and cement pipe in the distribution of water.]

"From the above facts and figures your Committee in conclusion would most respectfully submit that, in their opinion, the time has now fully come that the city of Oakland, as a matter of economy and self-protection, should take the necessary steps to secure for itself a supply of water which will not only meet the demands of the present but the future. It seems to us that in view of the facts already set forth, it is the only course which we can in any justice to ourselves and our posterity pursue. When this very desirable acquisition shall have been attained our city may challenge comparison with any other on the Pacific Coast for its felicitous attractions to the outside world to come with its wealth and population and make it what it should be, the STAR CITY OF THE PACIFIC."

On January 19, 1874, the Council passed a resolution directing the President to appoint a Committee to prepare, in conjunction with the City Engineer and City Attorney, a bill to be presented to the Legislature, authorizing the city to issue bonds for the purpose of acquiring water-works, Messrs. Spaulding, Knox, and Warner being so named; while, on the same date, Messrs. Knox, Warner, and Snook were appointed to ascertain the best terms upon which water-works and franchises can be purchased by the city. On March 2d Mr. Chabot, President of the Contra Costa Water Company, communicated to the Council the following propositions in regard to selling their works and property to the city: *First*—The Company will sell its works and property at a valuation to be determined by Commissioners, two to be chosen by

the Council and two by the company, and in case the four cannot agree upon a valuation they shall choose a fifth and the decision of a majority of the five shall be final upon the question of valuation. The company will receive in part payment the bonds of the city bearing interest at the rate of eight per cent. per annum. *Second*—The second proposition is that the city lend its credit to the company, in bonds or otherwise, to an amount sufficient to complete the works on the San Leandro Creek and connect the same by pipes with the city so as to make the water available for the use of the city as soon as possible: a Committee of the Council to see that the loan is properly applied to the construction of the works, and the loan to be secured on the property of the company; the company agreeing to pay the principal and interest of the loan as they fall due: the city to have the option to purchase the works at the end of ten years from the date of the loan at a valuation made as aforesaid, and the amount so loaned to the company shall be a part payment of the valuation so ascertained; the balance to be paid by the city on receiving possession. This communication was referred to the Auditing and Finance Committee, who on March 9th reported "An Act to authorize the City of Oakland to aid the Contra Costa Water Company to complete its Works." On being referred to the Legislature, on March 30th, "An Act to authorize the City of Oakland to obtain a Supply of Water was approved." By this Act, the city of Oakland might exercise the right of eminent domain, by taking for public use, in order to supply herself and the adjacent towns, and the people therein, with water, any flowing stream, lake, or artificial reservoir, or places for the construction of the same within the county of Alameda. To conduct these affairs a Board of Public Works was to be appointed by the Governor for a term of four years, while the Act especially defined their various duties.

In his message of February 28, 1876, Mayor Webber says, under the head of the water-supply: "The Board of Public Works appointed by the Governor of the State, in accordance with law, has accomplished nothing decisive, and I do not think that anything will result from the continuation of this body under the present law. An effort has been made to ascertain the price at which the Contra Costa Water Company would sell its property and franchises, but no price has ever been stated. This company can now supply Oakland with an abundance of water from the San Leandro Creek, an expensive dam having been built and an artificial lake of a large area created. I am not aware of any specific cause of complaint on the part of the public as to the policy of the company, but I believe it to be a sound principle in municipal government that every city shall own the water-supply upon which the people depend.

"During the last year the water question has been fully discussed in San Francisco, and the Calaveras scheme (the most important debated) bears a striking similarity to the plan followed here. In both cases reliance is had upon catchment water, and the arguments for and against the plan are as pertinent here as they were in our sister city.

"It may be wise to delay public action on the water question for several years. The supply on the peninsula of San Francisco will soon prove inadequate, and it seems probable that recourse will be had to the lakes and streams of the Sierras. Sacramento, Stockton, and Oakland are in the line of the grand aqueduct that would be constructed, and it might be advantageous for these cities to share the expense

with San Francisco, and participate in the benefits. The supply will be practically inexhaustible, and, though the population around the bay of San Francisco may be enumerated by millions, there never need be scarcity of this necessary article."

In concluding this subject it may be stated that the water-works of the city of Oakland are still in the womb of futurity.

But to return to the doings of the year 1866. On April 25th privilege was granted to W. S. Learning & Co. to erect a soap factory within the city limits. On the 8th August we find the Police Judge complaining of the smallness of the emoluments of his office. The yield for the first three months was but two hundred and three dollars, or about sixty-eight dollars per month. The Judge in his report says: "No one can complain of the amount of labor the duties require, but the office, in contemplation of law, having always to be open, necessarily confines the Judge so closely that to do any other business is out of the question, unless he employs a clerk to take care of the office in his absence. * * * You will at once perceive that the emoluments of this office are wholly insufficient to cover one's actual expenses." This subject having been referred to a committee consisting of Messrs. Barstow, Wilcox, and Shattuck, they reported August 22d, that the Act establishing the Police Court contemplated the allowance, by the Council, of a sufficient sum out of the city Treasury to make (added to the receipts of the office) a reasonable salary. That it is in the power of the Council to fix such sum as may be thought proper, as a monthly salary for that officer, but the salary of the Police Judge should depend in no way upon the fees of his office. On August 29th his salary was fixed at a hundred dollars per month. On the 17th of October Mayor Dwinelle and Aldermen Gibbons and Shattuck were appointed a committee to receive and entertain the Directors of the Agricultural, Mining, and Mechanical Arts College of California, while on their tour in quest of a location for the same.

In the latter end of March, 1866, the Jackson Guards of Oakland were organized; while in the Legislature in that year there were passed, in connection with the city of Oakland, the following bills: An Act to establish a Police Court in the city of Oakland and define its jurisdiction; duties and fees of Court and its officers. To have a Judge, Clerk, seal; to have jurisdiction in petit larceny, assault and battery, breaches of the peace, violation of city ordinances, city taxes, sums of money less than three hundred dollars, bonds, recovery of city property, license, etc. An Act in relation to the city Courts of Oakland; Mayor no longer to exercise power of justice. The Police Judge shall have power to hear cases for examination and may commit and hold offenders to bail. An Act granting to R. J. Vandewater, his associates, their successors or assigns the right to construct, maintain, and operate a railroad in certain streets of the city of Oakland. On Second, Fourth, Eighth, Twelfth, and Market Streets, including Twenty-eighth to the San Pablo Road, to the city limits. An Act to grant the Oakland Railroad Company the right of way for a railroad track in the city of Oakland and Alameda County, and to run horse-cars thereon. The Oakland Railroad Company, a corporation incorporated in 1861, to have right of way to run horse-cars from end of Broadway to Temescal Creek, and thence to the grounds of the College of California, for thirty years.

The improvements made during the first six months of the year 1866, in the

northern portion of Oakland, far exceeded that of any other part of the city during the same period. Between Market and Clay, and between Twelfth and Sixteenth Streets, a village had sprung up, streets opened, and shade-trees planted along the sidewalks, where twelve months before naught was but a strawberry-patch. The north side of Fourteenth Street had been built upon pretty extensively by this time, while a proper spirit moved the citizens everywhere to improve thoroughfares and surroundings. There was one drawback, however, which was keenly felt, and that the want of proper communication between Oakland and the County Seat at San Leandro, the means of reaching that point then being, as described by a writer of that period, as follows: "Starting from Broadway on the Oakland Ferry Railroad and thence to the Point: stepping on board the *Washoe*, the traveler is soon landed at the wharf at San Francisco, where he changes cars, or boats, transferring himself and other baggage to the steamer *Alameda*. At the expiration of another voyage on the briny deep, subjected to all the dangers of storm and sea-sickness, the pilgrim is heaved ashore at Alameda Wharf, where he tumbles himself into a train waiting his arrival. Another journey by rail and he finally arrives at the Land of Promise, after using up three or four valuable hours of time."

At this time Oakland was coming into note as a ship-building port. In July Captain Birdsall had a one hundred and fifty ton schooner on the stocks, at the foot of Franklin Street, with another vessel contracted for. In this year, too, the wooden building belonging to F. K. Shattuck that stood at the corner of Broadway and Eighth Street, was removed, and a new brick block, fitted up with capacious stores, built; so many were the improvements in this year that it is utterly impossible for us to enumerate them all, but it may be mentioned that their cost is estimated at the sum of six hundred and fifty thousand dollars. In 1866 the Oakland Mills commenced running; and on September 5th the Oakland Homestead Association had started with a capital stock of fourteen thousand dollars, and Elijah Bigelow, T. B. Bigelow, and W. W. Crane as Trustees. In this year, too, a steamboat, one hundred and sixty feet in length, thirty-three in breadth, and six feet depth of hold, was built by Small & Spier, at the foot of Franklin Street, which would appear to have been the building-yard for vessels, about twenty years ago.

On the evening of November 1, 1866, the Empire Brewery, owned by John Gilmore, was destroyed by fire, while the house of Mr. Ironmonger, situated near the brewery also caught. The *News* says: "This house was the first house ever built in Oakland. It originally stood on Broadway, near the wharf. Mr. Carpentier built it when he first settled here.

The year 1866 may be summed up as an eminently prosperous one for Oakland, and one in which she established herself beyond a peradventure in the upward march of progress.

1867.—From the official records we learn that on March 23, 1867, the appropriation of one hundred dollars per year for reporting the proceedings of the Council was withdrawn from the Oakland *News*. On the 27th April the following salaries were fixed: Marshal, one hundred and twenty-five dollars per month; Clerk and Treasurer, one hundred and twenty-five dollars per month; City Attorney, fifty

dollars per month, which was raised to one hundred dollars on May 25th. On May 11th an ordinance, having for its object the protection of birds, was passed; and on June 22d subscription to the Oakland Daily News was authorized for the purpose of filing.*

Upon the death of Police Judge Watson, July 18, 1867, the following resolutions were unanimously adopted by the City Council:—

WHEREAS, It has pleased Almighty God in His wisdom to remove by death NORMAN WATSON, the late Police Judge of this city.

Resolved, That in the death of Judge Watson his family have lost a kind and affectionate husband and father, the city a faithful and efficient officer, and society an upright citizen and an honest man.

Resolved, That the members of the Council attend in a body the funeral of the deceased, and that the other officers of the city government be invited to join them in manifesting their respect to his memory.

Resolved, That the Clerk deliver to the family of the deceased a copy of these resolutions.

On October 19, 1867, an ordinance regulating hacks was passed; while, November 2d, the following proceedings were had:—

Resolved, That the thanks of the Council are due to the Hon. W. W. Crane, Jr., whose resignation of the office of Mayor of the city of Oakland has just been received, for the faithful manner in which he has discharged the duties of his office, and especially for the assistance he has rendered the Council in the management of the affairs of the city ever since his election to said office. That our best wishes will follow him wherever he may go, and we shall heartily welcome his return among us.

On the same date Doctor Samuel Merritt was elected to the Mayor's chair in place of Mr. Crane.

Once more in the year 1867 have we to record the death of one of Oakland's public servants, in the person of Alderman Anderson. At a special meeting of the body of which he was a member, convened on the 11th November, the following appropriate resolutions of condolence were unanimously passed:—

WHEREAS, By the dispensation of Divine Providence one of the members of this Council, ANDREW ANDERSON, has been removed from our midst.

Resolved, That by the sudden death of our brother we are reminded of the uncertainty of life, and are admonished to a faithful and conscientious performance of our duties as members of this Board, that our record may be as fair as his whose loss we deplore.

Resolved, That the members of the Council attend the funeral of the deceased in a body, and that the other officers of the city government be invited to join us, as a mark of respect to his memory.

Resolved, That the Clerk be requested to present to the widow of deceased a copy of these resolutions.

On November 16, 1867, Mr. Moody offered a resolution to the following effect: That a committee of three be appointed to consider the propriety of a consolidation of our city and county, and that said committee be empowered to consult with citizens in such manner as they may deem proper. The object of this movement was to embody the city of Oakland and such other territory as might be fixed upon into a consolidated city and county of Oakland, similar to that which obtains of San Francisco, but the matter rested until 1874, when the scheme once more commenced to attract attention, but nothing would appear to have come of the proceedings.

In the year 1867 the propriety of erecting a City Hall first was brought to the notice of the public by Mr. Hobart, at a meeting of the corporation held December 21st, when the following resolution was offered:—

* These files were lost in the fire which destroyed the City Hall in August, 1877.

Resolved, By the City Council of the city of Oakland, that it is the sense and judgment of the people of this city that a suitable site be immediately secured for the erection of a City Hall.

The ayes and noes being called on the passage thereof were as follows: Ayes—Messrs. Moody, Miller, Hobart, Wilcox, Campbell, and President Pendleton; Noes—None; so the resolution was adopted. Mr. Wilcox then offered the following resolution:—

Resolved, That in the judgment of the City Council of the city of Oakland the time has arrived when the city should have a lot on which to build a City Hall. Would recommend that a committee of three be appointed to select a lot and ascertain the cost and report at our next meeting.

Which was adopted. The chair then appointed Messrs. Wilcox, Hobart, and Miller as such committee, and on motion of Mr. Moody they were instructed to look for a site north of Twelfth Street and west of Broadway. This committee on December 28th presented "An Ordinance for the Purchase of Land for a City Hall and to provide for the Payment thereof," which, on being put to the vote, was lost. Mr. Moody then offered the following resolution:—

Resolved, That Captain Wilcox is hereby requested to purchase the lot of land offered by E. Bigelow, Esq., and hold the same in his own name, with the privilege to the Council to purchase the same for a City Hall at any time before April 1, 1869, at the price of seven thousand five hundred dollars, at one and one-quarter per cent. interest per month, with incidental expenses added thereto."

Which was adopted. Then, on January 4, 1868, at another meeting of the Common Council, Mr. Moody stated that Mr. Potter had offered to the city a piece of land for a City Hall, at the head of Broadway, for the same price per square foot as was asked by Mr. Bigelow for his tract. He therefore moved that the resolution passed at a preceding meeting in regard to purchase of Bigelow's tract be rescinded, which was carried. Mr. Hobart then offered the following resolution:—

Resolved, That Captain P. S. Wilcox be invited to purchase the land bounded on the southwest by the San Pablo Road and on the east by a continuation of the west line of Broadway, measuring on the said eastern line three hundred and fifty feet; and thence at right angles from the same to the San Pablo Road, and hold the same until the fifteenth day of April next, subject till that time to the refusal of the city, interest to be reckoned at one and one-quarter per cent. per month.

This did not meet the views of some of the Council, therefore the following was offered by Mr. Moody as a substitute:—

Resolved, That a committee be appointed to examine and ascertain what amount of property will be required from Mr. Potter's lot for City Hall purposes, and report at a future meeting of the Council.

The ayes and noes, being demanded on the adoption of this substitute, were as follows: Ayes—Messrs. Moody and Miller; Noes—Messrs. Hobart, Wilcox, Campbell, and President Pendleton; so the substitute was lost. Mr. Moody then moved that the whole matter be laid over. The ayes and noes being called on the adoption thereof were as follows: Ayes—Messrs. Moody and Miller; Noes—Messrs. Hobart, Wilcox, Campbell, and President Pendleton; therefore the motion was lost. The question of the adoption of the original resolution offered by Mr. Hobart was then put, and said resolution adopted. On January 10th the following resolution was adopted by a vote of seven to none:—

WHEREAS, The City Council of the city of Oakland, believing that the interests of the city and the voice of a majority of the voters thereof demand the erection of a City Hall and the purchase of a suitable site therefor, have selected the point of land in said city bounded as follows: Beginning at the junction of Fourteenth Street and the San Pablo Road in said city, and measuring on said Fourteenth Street, westward, four hundred and twenty-two feet, one and one-quarter inches; thence northerly, parallel with Clay Street, two hundred and seven feet six inches; thence following the south line of Fifteenth Street two hundred and forty-three feet, nine inches, to said San Pablo Road; thence along said San Pablo Road two hundred and seventy-three feet, six and one-half inches, to the place of beginning; containing about seventy-eight thousand, six hundred and two square feet, at a cost of seventeen thousand dollars, as the most eligible and central point, and have made arrangements to have the same conveyed to certain parties in trust for the city, *provided*, the same be paid for on or before the 15th day of April next, and

WHEREAS, It is inexpedient and oppressive, at the present time, to raise the necessary amount by a tax for that purpose; therefore

Resolved, That our Senator and Assemblymen be requested to use their influence in passing a proper Funding Act at the present session of the Legislature, to enable said City Council to erect a City Hall and to purchase the aforesaid land.

On March 19, 1868, an Act authorizing the City Council to purchase land and erect a City Hall was passed by the Legislature, and directed the issuance of bonds therefor, and on March 30th Captain Wilcox presented the Deed of Conveyance for the land, when a committee was appointed to prepare plans and specifications. Not much would appear to have been done in the matter for the first two or three months. However, on August 3, 1868, the following preamble and resolutions were offered by Alderman Miller and adopted by the Council.

WHEREAS, It being desirable that the best possible plan for a City Hall should be adopted; one that would enable us to expend the small amount we now have in hand—thirty thousand dollars—for this purpose in such a manner as will give us a good and complete building for our present necessities: one that should be a credit to the city in finish and convenience, complete in itself, and yet shall be so designed as to be but part of a building that shall be the pride of a great city and an enduring monument of the foresight of our government; and

WHEREAS, It is only by public competition that the best designs can be obtained, and by an intelligent commission that the best selections can be made from the designs; therefore

Resolved, That one thousand dollars be and is hereby offered for plans and designs for a City Hall; that is, five hundred dollars for the first best plan, three hundred for the second, and two hundred for the third best plan, said City Hall to be erected upon the City Hall lot, at the junction of Fourteenth Street and San Pablo Road, said plans and designs to be for the best building that can be erected for thirty thousand dollars, with a view to future enlargements, either in parts or as a whole, so as when completed to be a City Hall at once thoroughly convenient and an ornament to our city, that shall cost not more than two hundred thousand dollars, and that the part now first to be built shall be sufficient for present necessities and to be complete in itself, and each design and plan shall be accompanied by specifications and estimate of cost; the successful bidder shall make such changes in his plans as may be required, without cost and above his percentage of five per cent. The successful bidder shall be the architect, and the premium for his plans be deducted from his percentage of five per cent.

Resolved, That a commission composed of Messrs. Ed. Tompkins, Ed. Gibbons, J. B. Felton, D. H. Bacon, S. B. McKee, George C. Potter, and the Mayor, be appointed to receive and examine such plans, specifications, and estimates, and to report to the Council that which in their judgment is the best for adoption.

On August 24th the plans of Olney & Barnes were chosen; while, on the 5th October, James N. Olney, Jr., was employed as architect and superintendent of the building. Some hitch now followed in the perfecting of arrangements, for, it appearing that the total cost of the building would be much higher than anticipated, an attempt was made to postpone indefinitely its commencement. This movement, however, failed, and finally resulted in the rescinding of nearly all propositions hitherto passed on the subject. On the 19th October a communication was received from the

committee named above, recommending the adoption of the plan of Bugbee & Son, which, on being placed in the form of a resolution, was carried, and all bids that had hitherto been received for building being rejected, Mr. Olney was retained as architect and superintendent. On October 31st the contract for the mason work was awarded to J. S. Emery, at eleven thousand seven hundred and eighty-four dollars, and that for joiners' work to F. L. Taylor and J. V. B. Goodrich, at twenty-three thousand nine hundred and sixty-five dollars. Meanwhile the erection progressed, and directions were given for its occupation after January 1, 1871.

In connection with the subject of the City Hall we may here mention that death had carried off the architect and superintendent, therefore, at a regular meeting of the City Council, held April 3, 1871, the following resolutions were introduced by Mr. Havens:—

WHEREAS, It hath pleased Almighty God, in his good providence, to remove from our midst by death JAMES N. OLNEY, JR., who had been intimately connected with the Council of the city of Oakland in the conduct of its public affairs, therefore be it

Resolved, That we mourn the loss of our departed friend as one who had endeared himself to us as a gentle, man in the truest sense of the word, a man ever considerate of the feelings and rights of others.

Resolved, That in the discharge of his duties to this city in his official capacity, his earnestness and honesty were conspicuously apparent, and often was his zealous faithfulness evinced at the expense of his failing health.

Resolved, That these resolutions be spread upon the minutes of the Council, published in all the newspapers of the city of Oakland, and a copy of the same sent to the family of the deceased.

On the evening of Saturday, August 25, 1877, ere the debts had been paid upon it, the City Hall fell a prey to the devouring element. In little more than an hour the entire building was laid in ashes. On the 27th the City Council met at Armory Hall, and passed resolutions respecting the obtaining of suitable rooms for holding their meetings; the procuring of the bell of the Presbyterian Church to strike the fire alarm; the adjusting of the insurance on the building; thanking the citizens of Oakland for their exertions in saving the public archives; and offering a reward of one thousand dollars for information leading to the arrest and conviction of the incendiary or guilty parties who fired the building. The Council thenceforward met at No. 1217 Broadway, in a rented room, while steps were at once taken for rebuilding. Plans were adopted; the construction was put under the superintendence of Eli Strong, while Doctor Merritt tendered a clock to be placed in the tower, and the result has been the present elegant structure, of which the city may well be proud.

On August 19, 1867, the Oakland Bank of Savings filed its articles of incorporation, the first directors being W. W. Crane, Jr., A. C. Henry, E. M. Hall, Samuel Merritt, and P. S. Wilcox. The capital stock was set down at one hundred and fifty thousand dollars, divided into fifteen hundred shares of one hundred dollars each. On the 2d of October, the *Daily Morning Herald*, published by W. D. Harwood, made its appearance; its career was short; it died on December 15th; while, on the 22d of the same month, much excitement was created by the murder of Officer Richardson while in the execution of his duty.

On December 22d, 1867, Oakland and its vicinity was visited by a severe storm, that did considerable damage, uprooting trees, and creating sad havoc among the craft anchored in the San Antonio Creek.

1868.—The first item that we find in the records for the year 1868, is the resolu-

tion of the Council not to grant permits for the erection of wooden buildings within the fire limits, passed January 18th, and, on the 25th, we have the following minute, which explains itself: "Mr. Hobart rose to a question of privilege in regard to a certain article published in the San Francisco *Evening Bulletin*, and presented an affidavit, setting forth that Mr. W. G. Moody was the author of said article, whereupon Mr. Campbell offered the following resolution:—

WHEREAS, A communication was published on the 16th day of January, instant, in the San Francisco *Evening Bulletin*, and headed "Oakland Taxation," charging upon a member of this Council dishonest, selfish, and reprehensible conduct in his official capacity, and

WHEREAS, It is proved to the satisfaction of this Council that the said communication was written by W. G. Moody, a member of the Council; therefore,

Resolved, By the City Council of the city of Oakland, that the conduct of the said W. G. Moody in publishing the aforesaid communication is deserving of censure and rebuke.

On February 17th his Honor, the Mayor, stated that the meeting had been called at his request, that an invitation be extended to the Governor and Legislature to visit Oakland and view the different State institutions located here, whereupon Mr. Moody offered the following resolution:—

Resolved, By the Council of the city of Oakland, the Mayor concurring, that the Governor, State officers, members of the Senate and Assembly, and the officers and *attaches* of the Legislature, are cordially invited to visit the city of Oakland on the anniversary of Washington's Birthday, Saturday, February 22, 1868, to examine the site selected for the State Agricultural and Mining College, for the Deaf, Dumb, and Blind Asylum, and the site and surroundings of the proposed State University, and to partake of the hospitalities of the city.

Resolved, That the City Clerk be and is hereby instructed to make certified copies of this resolution and transmit the same to the Capital to be presented to the two houses of the Legislature on the morning of Tuesday, February 18th.

These being unanimously carried, Mr. Hobart then made the following proposition:—

Resolved, By the Council of the city of Oakland that the Mayor of the city be requested to invite the officers and persons indicated in a resolution passed this day (except the Legislature) and such other guests as he may desire to attend.

Resolved, That the citizens of Oakland be invited to co-operate with the Mayor in placing their horses and carriages at his disposal, and otherwise rendering every assistance in their power, that the visit of our guests may be creditable to the people of the city.

Resolved, That these resolutions be ordered printed in the Oakland *News*, when it is ascertained that the Legislature accept our invitation. Carried *nem. con.*

Mr. Campbell, on behalf of I. H. Brayton, offered the use of the College School hall on the occasion; while, Doctor Merritt and Messrs. Hobart and Wilcox were appointed a Committee of Arrangements. On September 14, 1868, permission was granted to the Democratic club to erect a liberty-pole on Washington Square.

On March 10, 1868, a large and enthusiastic meeting was held in Shattuck & Hillegass' Hall, for the purpose of ratifying a proposition to grant a portion of the water front of the city to the Central Pacific Railroad for terminal purposes. While the Fourth of July was being celebrated in Oakland in this year, the festivities were much marred by a distressing accident at the ferry-landing, when twenty people were drowned.

Who among the old residents is there that does not remember the 21st of October, 1868, the morning of the great earthquake, the tales of which are rife even to this



E. Haley

day. The shocks occurred as follows: 7:54 A. M. very heavy—direction, northeast, east and southwest, a rolling motion. Almost like a continuation of this came a whirling motion; 8:26, slight shock; 8:44, heavy shock, with rolling motion; 8:47, slight shock; 9:11 slight shock; 10:15, heavy shock, with rolling motion, and up and down movement; 3:12, slight shock; 3:17, slight shock; 4:08, double shock, up and down. It is said there were thirty-two shocks in all during that day, but these mentioned above were especially noted.

In comparison to the desolation sustained in the neighboring towns Oakland did not suffer much damage. The casualties in crockery and glass ware were very great, and many chimneys were laid low. Portions of the wharves were carried away in some instances, while walls were cracked in almost every house, and deep excitement reigned supreme in every household.

Among the Legislative Acts connected with the city of Oakland, passed in the year 1868, were: An Act to enable the city of Oakland to issue bonds to purchase lands and erect a City Hall. An Act to enable the city of Oakland to settle its land controversies. An Act constituting the Mayor of Oakland a Commissioner for appraising land granted to Terminal Pacific Railroad—one hundred and fifty acres. An Act concerning the Oakland Railroad. An Act authorizing bonds to pay judgments against the city of Oakland. An Act to change the name of the Congregational Church to the First Congregational Religious Society of Oakland.

1869.—In his message of March 15, 1869, Doctor Merritt says: "In November, 1867, I was elected Mayor by the City Council to fill the vacancy created by the resignation of Mayor Crane. In the following May I was re-elected Mayor for the municipal year just closed. During this time events have transpired of vital interest to the future welfare of Oakland. The water-front controversy—of sixteen years duration—has been satisfactorily adjusted and the terminus of the Western Pacific Railroad has been secured. The market value of real estate within the city limits has advanced more than one hundred per cent.; many substantial brick buildings have been erected to accommodate increased business, and the rapid ingress of population has resulted in the construction of many elegant mansions and tasty villas in various parts of the city. Water has been introduced from the Coast Range of mountains; streets have been graded and macadamized; wharves have been built and the general appearance of the whole city has been vastly improved.

"The advantages which Oakland possesses in geographical position, salubrity of climate, fertility of soil, and beauty of scenery are beginning to be appreciated. The natural grade is so level that broad streets and avenues can be constructed and a perfect system of sewerage established at the smallest possible expense. Being within seven miles, or thirty minutes, of San Francisco—the great commercial metropolis of the Pacific Coast—gentlemen are enabled to attend to business in that city, at the same time reside in Oakland, where their families can enjoy a climate mild and salubrious at all seasons of the year, with scenery unsurpassed in beauty and variety. The climate of Oakland is not only healthy but exhilarating. The Coast Range of mountains, so formed that the cold northwest winds which prevail during the summer months, draw in through a tunnel-shaped opening upon the city of San Francisco,

with great force, but as soon as this strong sea-breeze strikes the bay it spreads out like a fan and loses its strength and chilly coldness. At the same time the warm rays of the sun falling upon the sandy soil of Oakland, rarefies the atmosphere and lifts these summer winds from the earth's surface, thus, these strong winds and dense fogs that prevail in San Francisco at certain seasons of the year, seldom reach Oakland; they are either killed or much modified by the same natural causes. The statistics of the Health Officer relating to the recent epidemic of small-pox, show conclusively that there is nothing in the climate or soil of Oakland to feed an epidemic. The soil is sandy and there is but little or no vegetable decomposition in the vicinity to generate malaria.

"For many years Oakland has taken the lead on the Pacific Coast in the number and rank of educational institutions, and within the past year the State University has been located at Berkeley, a suburb of this city, which establishes her position permanently as the educational center of the State. The securing of the terminus of the Western Pacific Railroad promises to result in the dredging of the bar and converting the San Antonio Creek into a basin five miles in extent, capable of receiving ships of ordinary draught, at any stage of tide, which, in my judgment, is all that is required to elevate Oakland to a prominent commercial position.

"At the time of the settlement of the water-front controversy, two reservations were secured.

"The arm of the San Antonio Creek north of the Oakland Bridge was dedicated perpetually for a public lake. Since then a dam has been constructed near the bridge at a cost of at least twenty thousand dollars, converting this branch of the creek into a beautiful lake. A road sixty feet in width and four miles in extent is now being built around the border of the lake, which, when completed, will be one of the most inviting drives in California. Not less than half a million of dollars has been added to the value of property by this limited expenditure of money, and at no distant day this lake and road will become one of the most attractive features of Oakland.

"The second reservation is for a public landing, and embraces that part of the water front lying between the middle of Webster and the middle of Franklin Streets, and extending southerly to a line parallel with Front Street, and two hundred feet southerly from the present wharf according to the official map of the city, with the rights of dockage, wharfage, and tolls. Soon after it became known that the above described property had been reserved for the city, certain parties attempted to take possession under a *pretended* lease to the San Francisco and Oakland Railroad Company. I at once caused their arrest and had the lot inclosed for the city. Subsequently the railroad company instituted suit to quiet title to the property in question, claiming that the City Council had granted this property to the said company for a 'marine railway and wharf.' The City Attorney set up in answer to said claim that the city had no authority under the charter to lease, sell, or in any manner dispose of city property except by public auction to the highest bidder; that said pretended lease was *conditional*, and that none of the conditions had been complied with.

"On the first day of the present term of the Third Judicial District Court, Judge McKee rendered his decision against the said railroad company and in favor of the city of Oakland."

In the month of July, 1868, small-pox made its appearance in Oakland as an epidemic. For some time prior to this it had been spreading in San Francisco with fearful results. The Council at once passed an ordinance creating a Board of Health and vested the same with full powers to do everything possible to prevent the spread of this loathsome malady. The Board worked wonders. Under an arrangement with Alameda County, represented by F. K. Shattuck, Supervisor from Oakland Township, the cost of procuring a pest-house was to be equally divided between the city and the county, and the expense of maintaining the same was to be paid in proportion to the number of patients, the pest-house being purchased and maintained for city and county purposes. This department is one of the most useful in the city government.

At a special meeting of the City Council held April 13, 1869, for the purpose of expressing their sentiments at the loss of so prominent and esteemed a citizen as the Rev. I. H. Brayton, a Committee consisting of Messrs. Campbell, Little, and Spaulding was appointed to draft the following resolutions, which were unanimously adopted:—

WHEREAS, Our Heavenly Father in his all-wise but inscrutable providence, has seen fit to call from among us one of the most prominent and most useful citizens of Oakland, REV. I. H. BRAYTON, therefore

Resolved, That this Council deems it fit to give expression to the public grief at the death of Professor Brayton, by bearing testimony to his upright Christian character, his pure life, his admirable courtesy, his untiring energy, his fine public spirit, his rare wisdom, and his self-sacrificing devotion to the great interests of education.

Resolved, That this Council attend in a body the funeral of our lamented friend and fellow-citizen.

Resolved, That these resolutions be published in the daily papers, and that a copy of them be presented to the bereaved family, to whom, in their sore affliction, we tender our heartfelt sympathy.

In the year 1869 there was formed the Oakland and Encinal Turnpike and Ferry Company, an association of residents in what is now the town of Alameda, who were desirous of some cheap and expeditious communication with Oakland, so that they could make their purchases there instead of in San Francisco, and in order that they could have the benefit of the Oakland day and night boats. They proposed a turnpike to the edge of the creek and a ferry across, using during the pleasure of the Council a space for a landing at the foot of Franklin Street, not exceeding forty feet in width, subject to such conditions of avoiding any obstruction to the navigation as might be proper. The design was, in short, to make the communication as cheap and expeditious as practicable so as to be for the mutual benefit of the merchants and business men of Oakland and the residents on the Encinal. The stockholders of the company did not anticipate any profit upon the money expended except as it might promote their convenience and indirectly benefit their property. They were willing to raise the money if the Council would allow them a place for the landing. The names of the gentlemen who were interested in the scheme were, E. B. Mastick, Charles Baum, Thomas Davenport, H. H. Haight, Charles Meinecke, Charles Minturn, B. H. Ramsdell, Henry Vrooman, and C. H. King. Their prayer was granted, May 24th, and on the same date an ordinance was passed in accordance therewith, but it was afterwards vetoed by the Mayor and sustained by the Council, referred back to the Ordinance and Judiciary Committee, and, on their recommendation, finally became law June 21, 1869.

In the year 1869 the great Overland Railroad had joined the Atlantic and Pacific

Oceans, and all rejoiced in the accomplishment of so great a feat, but scarce had the echo of the reverberating cannon announcing the fact died away amid the cañons of the Contra Costa Range than the entire community was cast into gloomy grief by one of the saddest railroad accidents that ever has occurred on this coast. The sad event is thus graphically portrayed by the *Alameda County Gazette*: "The most frightful railroad accident that has ever occurred in California was that of Sunday morning last (November 14, 1869), between the Alameda-bound train on the Alameda Railroad and the Eastern-bound train on the Western Pacific Railroad, about three miles below San Leandro. About half an hour after the train left the place (San Leandro) a young man named Spear, came dashing into town on horseback and announced the catastrophe. A freight train with two locomotives attached was standing on the side-track at this station, awaiting the arrival of the Eastward-bound train. The Conductor of this train was immediately informed of the disaster, and the telegraph operator sent the news to head-quarters. The engineers did not dare to leave the station without orders. The news had spread like wild-fire through the town, and but a few moments elapsed ere every conveyance, public and private, was engaged to convey the anxious inhabitants of San Leandro to the scene of the accident; and the railroad track was lined with pedestrians who were unable to get conveyances. The scene presented upon our arrival beggars description. The wrecked trains, with their engines and cars smashed and shivered, the groans and shrieks of the wounded, the mutilated remains of the dead, the tumult and confusion of those who were endeavoring to render assistance, combined to make the picture horrible in the extreme, and indelibly impress it upon the memory of every beholder. The Alameda train consisted of the locomotive *F. D. Atherton*, one box-car, three passenger-cars, smoking-car, and one express and baggage car. The Western Pacific train consisted of the locomotive *Sonoma*, two express and baggage cars, smoking-car, two passenger-cars, and one sleeping-car. The Alameda train passed San Leandro Station nearly on time (8:45), and was due at Simpson's, the junction of the two roads, at 8:55. The Eastward-bound train of the Western Pacific Railroad left Oakland Wharf at 8:30, and was also due at Simpson's at 8:55.

"At the time of the accident the sun was shining brightly at San Leandro, but in the direction of Alameda could be seen a heavy bank of fog, which, at the scene of the accident, was said to be so dense that objects could not be distinguished at fifty yards. The Engineer of the Alameda train, the only living witness who can speak understandingly of the subject, saw the Western Pacific train approaching. To pull the whistle, shut down breaks, was the work of an instant, and having done so, he shouted to the fireman to jump for his life, and then leaped from the engine. He struck the ground, rolled over two or three times and then heard a terrible crash; the two engines had smashed into atoms and for a moment he was enveloped in the scalding, escaping steam. Then came the groans and shrieks of the wounded, the agonized cries of the mangled and torn sufferers, and hasty exodus of the affrighted who were uninjured. Two cars were 'telescoped' on each train; one run into and through the other like the shutting of a spy-glass, or telescope. The telescoped cars of the Western Pacific train exhibited a more terrible sight. In one end of the car were some sixteen men, most of them dead—all of them injured—jammed and tangled

with a mass of sticks, splinters, and iron. The work of breaking away the outer shell of the car seemed terribly slow to the sympathizing laborers, and doubly so to the poor sufferers within, to whom the interval between the rapid blows of the deliverers' axes seemed as an age to their moments of agony. But two persons were killed on the Alameda train—the fireman, Martin, and one passenger. The noise of the crash attracted people to the spot from the neighboring farms and dwellings, couriers were dispatched for axes and other implements to clear away the wreck, and telegrams were sent to the nearest stations. Those who were present immediately set to work with all their might and energies to extricate the passengers from the ruins." Those who were thus suddenly launched into eternity were: John D. McDonald, Roadmaster on the California Pacific (Vallejo) Railroad; Max Ehrman, a merchant at the Mission San José; George Thompson, fireman on the Western Pacific train; Charles Martin, fireman on the Alameda train; James Conley, a farmer residing at Corral Station, Livermore Valley; Ritchison Peterson, identified by papers in his pockets. Identified as a member of Wildey Encampment, No. 22, I. O. O. F., San Francisco; David Wand, dry-goods merchant, San Francisco, and brother-in-law of Ehrman; Judge Alexander W. Baldwin, known to his friends as "Sandy" Baldwin, Judge of the United States District Court of Nevada; Edward Anderson, engineer on the Western Pacific train; Arsene Boulet, French Private School, corner of Fifth and Franklin streets, Oakland; Bunce H. Fox, identified by his ticket; Frank B. Millikin, brakeman on the Western Pacific train; J. P. Lowell, of Sacramento, cattle-dealer; taken from the wreck alive, but died of his injuries; Thomas F. Sandoz, a native of Natchez, Mississippi, aged forty-eight years. Of the wounded, most of whom were taken to Doctor Trenor's hospital in Alameda, there were: Seth Bromley, pilot of the Stockton boat, right ankle terribly shattered, rendering amputation necessary below the knee; J. R. Helens, of San Francisco, left leg, hand, and foot bruised; James F. Kapp, formerly proprietor of the *Gazette*, head and right leg bruised; Simon Meloche, of San Francisco, hip dislocated, with a number of contusions; Thomas McNulty, San Francisco, fracture of the fibula and bruises, able to be sent to his residence; G. Leighton, Rocklin, Placer County, leg broken; Philip Ruby, Stockton, shoulder dislocated and severely bruised; Noel Langton, an *employé* on the Western Pacific Road, both legs broken; Patrick Mehan, San Francisco, leg bruised and severe internal injuries; E. F. Fitch, Cosumnes, school-teacher, leg broken; Joseph L. Perkins, *employé* on the Western Pacific Road, badly injured internally; C. E. Needham, of Banta's Station, leg broken; S. M. B. Haly, San Francisco, injured internally; Judge William Campbell, of Nevada, leg broken; Robert McLaughlin, brakeman on the Alameda train, seriously injured; Robert Owens, conductor on the Alameda train, seriously injured; John L. Beard, Mission San José, foot badly injured; T. W. Finlayson, teacher at Washington Corners, leg badly injured and face cut; J. J. Hill, of San Francisco, injured in one of hips, and hands, having been thrown up into the car at a distance extending over five seats; J. H. Downer, wounded in the head; Wells, Fargo & Co.'s messenger, badly hurt; M. L. Taylor, of Chicago, bruised. Two Chinamen were badly bruised.

"It is a pleasing duty to record the noble and heroic conduct of the women residing in the vicinity of the accident in assisting to alleviate the sufferings of the

wounded and in rendering those delicate attentions that woman's hand alone can render. They contributed liberally of linen, lint, and bandages, assisted the surgeons in their nerve-trying duties, and their noble efforts relieved many a sufferer who will forever remember them with gratitude and thanks. One lady, a passenger on the Western Pacific train (whose name we did not learn), rendered signal assistance in attending to the wounded. As soon as they were taken out, she tore up her linen skirts to make bandages and was unremitting in her attentions, accompanying the wounded to Alameda."

But why pursue the heart-rending theme; suffice it to say, a Coroner's inquest was held upon the bodies of the deceased and a verdict was rendered in accordance with the evidence which went to prove that the main cause of the catastrophe was the ignorance and incompetency of Bernard Kane, the switchman employed at Simpson's Station, a man that could neither read nor write.

On receipt of the intelligence Oakland was thrown into a state of the most intense excitement, and the dire calamity was canvassed on every side. On Tuesday, the 16th, several of the dead were buried in Oakland. The funeral of Judge Baldwin took place from the residence of his brother-in-law, the Hon. J. B. Felton, and was attended by the Masonic Fraternity and members of the Bar, while, on the 15th, the City Council passed the following resolution of condolence:—

WHEREAS, In view of the great calamity which occurred yesterday, the 14th instant, in the collision of passenger trains on the railroad a few miles south of the city, involving death and injury to many persons, which has brought mourning to the homes of several of our own citizens, including that of his Honor, the Mayor, therefore be it

Resolved, That this Council do adjourn in token of respect to the sufferers.

The remains of Monsieur Boulet were temporarily placed in the old cemetery on Webster Street; while those of Bronson H. Fox, of Illinois, were buried in Mountain View Cemetery by the Masonic Fraternity.

Among the events of general interest that occurred in the city of Oakland during the year 1869, was the opening of the Union Savings Bank, with A. C. Henry as President, on July 1st, while, about the same time, the Mutual Provident Association of Oakland was organized, N. W. Spaulding being its President. In this year the *Oakland Transcript* was purchased by Col. John Scott and converted into a Democratic organ; and on the 29th of October the last rail of the Pacific Railroad was laid in Oakland, and the first locomotive of the line, the *Reindeer*, entered the city at five minutes after ten o'clock, A. M., and passed down, with the construction train attached to it, to the Point. The first passenger through train started at half past eight o'clock, from Oakland Point, on the morning of November 8, 1869, and at a quarter before twelve o'clock two large trains from the East arrived, and at two o'clock, P. M., a long construction train passed through to the Point. The first through overland train arrived in Oakland at five minutes past five o'clock in the evening, and halting only a minute at Broadway, went rushing and shrieking onwards to the Point, amid general rejoicing.

Early in the year 1869, the Toland Tract Association with a capital stock of twenty-two thousand five hundred dollars, divided into one hundred dollar shares, was organized, the Trustees being Henry Durant, Edward McLean, and Jacob Hardy, its

object being the purchase of land to be divided into lots suitable for homesteads. In the month of January, Shattuck & Hillegass' Hall was converted into a theater, and opened as such on the evening of January 25, 1869; meanwhile the enterprise of ship-building was still being kept up, there being at that time a two hundred ton schooner on the stocks at Allen's Yard at Oakland Point. In this year the Mission Church, on Second Street, was built.

To give some idea of the increase of population in Oakland we can draw some facts from the Post-office returns of the year 1868. During the last week of the month of December, 1868, the number of letters received was one thousand three hundred and forty, while the receipts from the sale of postal money orders during that year were fourteen thousand five hundred and sixty-eight dollars and ten cents, while those cashed at the office nearly equaled that amount. It will thus be seen that to transact that amount of business and to engage in the large quantity of correspondence reverted to above, a large population was necessary, and that Oakland was then fast acquiring. It was a year of great prosperity.

In the year 1869, the splendid Roman Catholic Church on Jefferson Street was commenced, but ere going into detail in respect to the building we will place before the reader a short sketch of the establishment of this denomination in this city.

Thirty years ago a room in a private house served as a place of worship for the Roman Catholics of Oakland and nearly the whole of the present county of Alameda, a priest from the Mission San José occasionally making a visit to celebrate mass and administer the sacraments, and even these occasional visits had to be omitted during the rainy season, owing to bad roads. The first church, a building of the most modest description, was erected in 1853, through the exertions of a few of the congregation, and for some time was the only Roman Catholic place of worship, save the Mission of San José, in the whole of Alameda and Contra Costa Counties. We doubt not for the ten years and more which this little building stood, many submissive hearts have knelt in deep devotion before its primitive altar, and many rebellious spirits been soothed within its sacred walls. We can almost now hear the impressive service commenced, the praises chanted, the benediction pronounced, and see the happy few return to their homes, relieved in mind, and for the present with all feuds forgotten; indeed, it is a pleasant solace to conjecture the earlier citizens of this lovely city, though rough in exterior, still child-like in spirit, fearing the Lord, for if there is ever one time when prayer may be more beneficially asked than at another, it is when deep solitude surrounds us, when the dark future appears to be yet more dark, when thankfulness is to be divided among a small community, and when deep love binds man and woman, youth and maiden, old and young—then, and then only, do the hardened pray with fervor and the wicked seek to be reclaimed.

There was no settled pastor in Oakland until Father King was appointed to the parish, which then included San Pablo, San Leandro, and the Amador Valley, as well as Oakland, in February, 1865. Aided by Father Croke, the original building was enlarged by subsequent additions until it was capable of holding a congregation of several hundreds, but this, too, became inadequate to the needs of the population of Oakland, although several new parishes were formed in the county. In 1869 Father King determined to erect a church on a scale commensurate with the promised impor-

tance of the city; accordingly plans were prepared for a building surpassing in dimensions anything in the State, though only with the intention of erecting a part of it at first, a design which has been carried out in the present structure. The foundations were laid in that year, but various causes retarded any further progress until May, 1871, when the superstructure was commenced and pushed vigorously forward. Although not completed, the church was consecrated on June 23, 1872, the dedicatory services being conducted by the Most Reverend Archbishop Alemany, attended by the Reverends Fathers Croke, Gibney, and Casedra. Let us here describe this impressive ceremonial. At eleven o'clock the Archbishop, attended by the Fathers mentioned, the last of whom bore a silver cross, all in full canonicals, proceeded through the center aisle to the entrance of the church, where a procession was formed in the following order: Archbishop Alemany, preceded by Father Casedra, who was supported on his right and left by boys in gowns and Fathers Gibney and Croke. Next came two Sisters in black, twelve Misses, in couples, dressed in white, fifty young Misses attired alike in buff-colored dresses and black aprons, twelve girls also in white, and the Saint Joseph's Benevolent Society of Oakland, in regalia, and with the elegant banner of their Society, bringing up the rear of the *cortège*. The ceremony of consecration commenced by the dedication of the church with holy water by the Archbishop, the procession slowly marching around the edifice and through the entrance to the sanctuary. The same rites were observed inside, the Archbishop, accompanied by the attendant priests, passing through the side aisles, around the church. The dedication sermon was preached by Father Hugh Gallagher, of St. Joseph's Church, San Francisco, to whom, two decades before, the Roman Catholics of Oakland were in a great measure indebted for their first place of worship. A history and description of the Church of the Immaculate Conception will be found elsewhere in this work.

In this connection it should be said that mainly through the exertions of Father King the Convent of Our Lady of the Sacred Heart, located on Webster Street, near the head of Lake Merritt, was dedicated in 1868. It is conducted by the Sisters of the Sacred Names of Jesus and Mary, and is for the education of young ladies. Several of the pupils are Protestants, nor is there any interference with their religious belief. Should a girl desire instruction in the principles of Catholicity, permission must first be obtained from her parents. Parents of other modes of faith are glad to avail themselves in this country of the educational advantages offered by the Sisters, who are all ladies of the highest refinement and culture. At the academy at San José, and at other institutions on this Coast, many Hebrew as well as Christian young ladies receive their education. Although, like ourself, unable to accept the peculiar dogmas of this Church, Protestants are wise enough to recognize the great moral safeguards afforded by the watchful supervision of devout and earnest ladies over the mental and moral habits of their children. We have always thought with Professor Seeley, in *Eccle Homo*, that the great object for which a Christian Church exists is the cultivation of virtue, and it is in the consistency of their lives that Catholics win our admiration. Good works have been the germ of life and the energizing cause of progress in this Church. Where virtues have given place to passions in its history, it has fallen, rising again when gospel morality resumed its sway. "Never,"

says James Anthony Froude, among the most reliable of modern historians, "never," so far as we know, have mankind put forth from themselves any thing so grand, so useful, so beautiful, so beneficent as the Catholic Church once was." The two great causes of this were, we believe, its practical philanthropy and its mental cultivation. Prophecies may fail, and dogmas of infallibility shall vanish away, but "the inward adorning of the meek and quiet spirit," the graces of heart and mind, and all the sacred results of Christian discipline and education, will win men's homage so long as there is any virtue and any praise, and will shed their light and fragrance beyond the grave.

The work of Christian education, with all the neatness and gayety, the happiness and order that attend it, is, we should imagine, a blessed and grateful work, both to the Sisters and to the pastor. While the heart is yet unspotted from the world, while the life is unsullied, while the innocent little ones need only to be guided in order to choose the good and cling to it and love it forever, while the habits are yet unformed and the mind, like a white, unwritten page, needs only the autograph of Christ and the impression of Heaven, the pastor steps in with his school and foils the tempter and infuses moral strength to resist evil in the future. While he educates the mind he barricades the soul. While he equips the children for time, he is shielding as well as training them for eternity. How noble a sight is such a school under such guardianship! Surely the angels must love to look at it! Unruly tempers gently led into captivity to Christ. The child taught, almost before "the dawn of reason's awful power," to shrink from vice as from poison. What respectful silence greets the pastor as he enters the school; what radiant looks and merry laughter when he speaks his kindly criticisms to one and then another. And what are they taught? Not bigotry; not harsh judgment of others; but something higher, better, and more positive—to love the Saviour, his Mother, and his Saints; to follow their example here and walk where their light falls, that they may meet them amid other scenes, and dwell with them forever. Here, surely, is the pastor's noblest work. Not on the platform, though he thunder forth platitudes with a fifty Boanerges power; not in angry polemics, though he were ever so victorious; not even scattering the flowers of rhetoric upon the heads of a fashionable audience, who cry that they are "miserable sinners," but act as though they were saints in lavender. No; but at the bedside of the sick and dying, caring for Christ's poor, and obeying his command to Peter, given as a test of love, "Feed my lambs." The religious influences that fall upon the Protestant as well as Catholic pupils, at such schools as the Convent, are not, as we have seen, theoretical or dogmatic, but that imperceptible molding of the character and chastening of the thoughts for good, as bring forth fruit in the self-control and patience of a Christian life.

Trusting that we may be pardoned this lengthy digression we now return to our running chronology of events. On February 5, 1869, the first number of the *Alameda Democrat* made its appearance and was said by one of its contemporaries to have "a countrified appearance." At this time Oakland boasted three daily papers, and in that respect took third rank in the State. In the month of February, 1869, the city was visited by heavy rain-storms that did considerable damage. In this year, during the month of February, Alameda Degree Lodge, No. 5, I. O. O. F., was instituted by

Past Grand Representative Nathan Porter, when the following officers were installed: J. C. Holland, N. G.; J. Barnett, V. G.; W. J. Gurnett, Secretary; George H. Fogg, Treasurer; J. Callagan, Guardian.

The plumed hat, crooked walking-cane, and heavy sabre of "Emperor Norton" are well remembered by those of Oakland's residents of to-day. To those who come after us we may say that Norton was a pioneer merchant of San Francisco who, through fortune's rebuffs, lost his mind, and among his aberrations thought himself invested with sovereign power over the United States and Mexico. His end was a sad one. He dropped dead in one of the streets of San Francisco without warning of the coming of the Grim Monster. All in all he was regretted, for he was utterly harmless. In one of his visits to this side of the bay, as was his wont, he issued the following proclamations, which go to show that his weakness was not of an obtrusive nature.

NORTON, DEI GRATIA, EMPEROR OF THE UNITED STATES AND PROTECTOR OF MEXICO: Being anxious that the physicians should continue unabated in their zeal for the total obliteration of the small-pox, do hereby command the City Authorities, in all places where the disease has been or may continue, to make compensation in honor or money to all physicians who may make the most effective cures in case of small-pox.

Oakland, February 15, 1869.

NORTON I.

WE, NORTON I. EMPEROR OF THE UNITED STATES AND PROTECTOR OF MEXICO: Do hereby protest against any action of Congress depreciating National Bonds as a disgrace to the Nation; being convinced that our integrity is *our only Salvation*, and all foreigners whom it may concern are hereby advised of our determination.

Oakland, February 15, 1869.

NORTON I.

Among the improvements made in the year 1869 was the erection by Captain Wilcox of a building on Ninth Street, next to his three-story brick building.

About this time certain portions of the community were much exercised against the Rev. L. Hamilton who had established an Independent Presbyterian Church. Charges of a comparative heterodoxy were made against him, and he was summoned to appear before the Presbytery, but, refusing to do so, he was suspended from his duties. The feeling on the subject was thus expressed. "Mr. Hamilton has withdrawn from a body where he could have no possible influence and whose verdict was known before ever the charges had been preferred and hearing granted. Any act that the Presbytery can take will carry with it simply the weight of the moral influence and opinions of its members. A higher tribunal than Presbytery or Synod has rendered its decision. The Christian men and women who have for years listened with profit to the preachings of Mr. Hamilton, the whole community, have concurred in the sentiment that freedom of conscience shall not be crushed and that however much men may differ with them upon abstract theories, when they are the same in feeling and in heart, the bonds shall not be dissolved." Upon the organization of the Independent Presbyterian Church the following trustees were appointed: Professor H. Durant, Rev. David McClure, C. W. Howard, Judge S. B. McKee, George C. Potter, J. S. Emery, Col. A. J. Coffee, W. C. Tompkins, and J. R. Glascock.

1870.—In the month of January, 1870, an attempt was made to get an Act passed through the Legislature having for its object the division of the city into wards and districts, but the City Council, on January 3d, carried a resolution that the passage of such a bill would be detrimental to the interests of the city, therefore the matter

dropped for the time. On the 10th January a bid was made for having the State Normal School located in Oakland, and to attract the committee having this settlement of the matter they were tendered the hospitalities of the city. In the mean time the City Hall was offered for the purpose, and on January 24th, Mr. Spaulding offered a resolution recommending the offer of ten acres of land and fifty thousand dollars in bonds of Oakland Township to the State for Normal School purposes, which was adopted, and the City Attorney was directed to draw up an enabling Act in accordance therewith. The following short sketch of this institution may prove of interest to the reader. Early in the history of the State a few gentlemen of San Francisco who had the educational interests of California at heart, among them being State Superintendent Andrew J. Moulder, John Swett, and City Superintendent Henry B. James, mooted the idea of a State Normal School. By the earnest efforts of these gentlemen, a City Normal School was established in San Francisco in 1857, with George W. Minns as Principal, and John Swett, Ellis H. Holmes, and Thomas S. Myrick, assistants. This school was continued until 1862. In the years 1859 and 1860, Mr. Moulder urged the establishment of a State Normal School, but no action was then taken in the matter. Subsequently, however, a committee was appointed to examine into the feasibility of the scheme, which they favored in an elaborate report dated January 2, 1862. It was embodied by the State Superintendent in a communication to the Legislature of 1862, and May 2d of that year an Act providing for the establishment of such an institution was passed. Three thousand dollars was appropriated by the Legislature for carrying out the design, and Ahira Holmes appointed Principal by a Board of Trustees consisting of Superintendent Moulder, George Tait, Superintendent of San Francisco, and Dr. Taylor, Superintendent of Sacramento. The school was opened in one of the vacant rooms of the San Francisco High School, July 21, 1862, with thirty-one pupils, but was soon removed to rented rooms on Post Street, the teachers being Henry P. Carlton, Vice Principal, with Helen M. Clark and Kate Sullivan in the Training Department. In 1864 it was transferred to the rear of the Lincoln Grammar School.

In the month of April 1870, a bill was passed by the Legislature directing the levy of a tax to provide a State Normal School Building Fund. We have seen how Oakland made an attempt to gain the location of it there, but San José received the boon, and in 1870 the building was commenced. On February 11, 1880, the handsome structure was destroyed by fire, but a new Normal School was erected on its site and first opened to its proper uses in 1881.

On January 10, 1870, T. J. Arnold was appointed City Engineer; on August 1st an ordinance prohibiting the soliciting of custom for hotels and carriages in railroad-cars and steamboats within the limits of the city was passed, and, on November 7th, an ordinance concerning a record of births in the city of Oakland was passed.

In the year 1870, the subject of a bridge across San Antonio Creek between Oakland and Alameda was placed before the Legislature, and was bitterly opposed by the residents of Brooklyn, on the ground that it would obstruct navigation and thus interfere with the prospects of their town, but without avail, for the bill became law and the Webster-street Bridge an accomplished fact. Another matter that received considerable attention about this time was the removal of the county seat

from San Leandro to Oakland. It was the initial step to a very bitter contest, which, however, was won by the city. On July 1, 1870, the San Francisco and Oakland, and San Francisco, Alameda, and Haywards Railroad Companies were consolidated under the name of the San Francisco, Oakland, and Alameda Railroad Company, to form a continuous line from San Francisco to Haywards. Directors: Faxón D. Atherton, D. O. Mills, Wm. C. Ralston, Alfred A. Cohen, and David P. Barstow.

Concerning the city of Oakland, the following Acts of the Legislature were passed, in the year 1870. An Act to provide for building bridge across the Estuary of San Antonio. Tax for payment of bridge bonds: To issue bonds for bridge purposes; An Act to prevent the destruction of fish and game in and around Lake Merritt; An Act providing for a bridge across San Antonio Creek; Mayor of Oakland to appoint bridge committee; City of Oakland to levy special bridge tax; An Act to lay out and improve streets of Oakland; An Act authorizing contract for lighting city of Oakland with gas; An Act authorizing tax for redemption of School Bonds in Oakland; An Act amending an Act of 1864, to improve streets in Oakland; An Act to authorize a tax for interest on bonds issued for funding certain claims on Oakland; An Act authorizing the Mayor to appoint Commissioners for a bridge across San Antonio Creek; An Act authorizing a special tax for bridge across San Antonio Creek; An Act concerning wharves, not to apply to Oakland; and An Act establishing boundary between Brooklyn and Oakland.

In March, 1870, the Oakland Musical Society was started with the following lady and gentlemen as a committee of organization: Mrs. W. C. Little, Jacob Bacon, W. K. Flint, E. J. Passmore, W. B. Treadwell. In this year building was almost a mania in Oakland; new residences could be counted by the score, while business blocks and general improvements were under way all along Broadway. The want of hotel accommodation was much felt, but practical schemes in that direction were being then devised, by the Newland Brothers, at the corner of Seventh and Washington Streets.

1871.—On March 20, 1871, Oakland was divided into two election precincts for voting purposes, Adeline Street being the partition line between the two, a division which obtained until January 13, 1873, when the city was redistributed. On the 11th October the Council passed a resolution that the pastors of the several churches in the city be requested to take up collections among their congregations for the relief of the sufferers from the Chicago fire.

In March of this year the Post-office was moved to the office formerly occupied by W. K. Rowell, on Broadway between Ninth and Tenth Streets, it having changed its location several times since its establishment, in the first instance, on the corner of Broadway and Second Street. On March 2, 1871, the new building of the Union Savings Bank, on the corner of Broadway and Ninth Street, was ready for occupation.

In the year 1871 there took place the heaviest real estate transaction that had hitherto been known in the city of Oakland. It was the selling by Elijah Bigelow to the San Francisco Land and Loan Association, for one hundred and two thousand dollars, two-thirds of Broadway Block, excepting a piece one hundred by seventy-five feet, on the corner of Broadway and Twelfth Street, the property of T. J. Murphy. The march of improvement still pushed onward in this year, Broadway being the

scene of much activity in building, where the owners seemed to have settled upon the policy of erecting only the very first-class structures. The fact was recognized that Oakland was fast becoming a city capable of sustaining the very best class of stores, and that unless that street furnished the proper accommodations, other and more enterprising capitalists would turn their attention to some other locality, and there erect the improvements demanded by the enlarged condition of the city. Their policy was a wise one, and, by carrying it out, they secured for all time the prestige of Broadway as the most important thoroughfare in Oakland. In May, the Hurlburt Block, bounded by Broadway, Washington, Thirteenth, and Fourteenth Streets, was sold to Armes & Dallam for seventy-five thousand dollars, making the third heavy land sale within the city, and all aggregating two hundred and thirty-seven thousand dollars. It should be mentioned that heavier sales than these had taken place; for instance, the railroad company purchased sixty-six acres of land at the Point for three hundred and thirty thousand dollars; the Casserly Tract was sold for one hundred and twenty-five thousand dollars, and the Lake Side Tract for one hundred thousand dollars; but in each of these cases the area of the property sold was extensive, while in the transactions noted it is very small. In this month James Canning commenced the erection of his building on the corner of Broadway and Thirteenth Street, while, on the 24th May, the dilapidated platform that stood on the south side of Seventh Street near Broadway, and served as a passenger landing for the trains, was removed; and, in June, E. C. Sessions commenced a handsome building at the corner of Broadway and Twelfth Street.

1872.—Having so fully gone into the matter of the removal of the county seat in another place, it will be unnecessary here to dwell upon the subject; all that we shall do is to follow the official action so far as it regards the part taken by the City Council. On January 1, 1872, Hiram Tubbs, of Brooklyn, addressed the Council to the effect that as petitions were in circulation praying for the removal of the county seat to Oakland from San Leandro with the implied understanding that the unoccupied parts of the City Hall would be tendered to the county for the use of its officers, and as a doubt existed in the minds of many residents of the town of Brooklyn (who were favorably inclined to the removal under such condition) arising from the fact that there had been no authoritative expression from the Council on the subject, he inquired if such should be made in that event, to which he received a reply in the shape of the following resolutions, passed on the 9th January:—

WHEREAS, It is contemplated by the people of the county of Alameda to change the county seat from San Leandro in said county to the city of Oakland, and

WHEREAS, It is deemed expedient that the city of Oakland should give some public expression in relation thereto, therefore be it

Resolved, That the unoccupied apartments in the new City Hall in the city of Oakland are hereby tendered to the county of Alameda for its use for the purposes of county offices as long as desirable; and sufficient ground upon the City Hall Plat to erect a Recorder's Office; and at such time as the county shall see fit or desire to construct county buildings, it is the intention of the city of Oakland to furnish to the county, land sufficient and proper therefor.

Resolved, That the foregoing preamble and resolutions be published in full in all the papers in the county of Alameda.

Immediately following this action the City Council had a meeting, and on January 15th passed the following resolution:—

Resolved, That a public meeting of the citizens of the city of Oakland and township of Oakland and vicinity should be held immediately, to take into consideration the subject of a removal of the county seat and recommend that such a meeting be called immediately for the purpose of discussing the merits of such removal and that Samuel Merritt, A. C. Henry, and Rodmond Gibbons are hereby requested to call such meeting and publish notice of the same, and to invite and select speakers to speak upon the subject at said meeting.

A meeting was accordingly held on January 24th, and the annexed resolutions unanimously adopted:—

WHEREAS, It has become necessary for the accommodation of a large majority of the citizens of Alameda County that the county seat of said county should be removed to the city of Oakland, and a petition of the voters of said county has been presented to the Legislature of the State, asking for the passage of a law authorizing such removal, and

WHEREAS, Objections to said removal are being made by some, on the ground that a heavy debt would be incurred by such removal, in the purchase of land, and the erection of the necessary buildings for county purposes, it is therefore

Resolved, By the citizens of Oakland in mass-meeting assembled, that the second story of the City Hall shall be finished at the expense of the city, and partitioned into suitable rooms for the District Court, the County and Probate Courts, the Sheriff, the District Attorney, the Grand Jury, the Petit Jury, the County Surveyor, and the Judge's chambers; and that rooms shall be provided on the first floor of said hall for the Board of Supervisors and the Superintendent of Public Schools; and in the basement of said hall, if required, rooms sufficient for a jail. And that the city will also dedicate to the county a lot of land, parcel of the City Hall lot, situated in the southwest corner of the same, fifty feet wide on Fourteenth Street and one hundred feet in depth, for the purpose of erecting a Hall of Records for the use of the County Recorder, County Clerk, and County Treasurer. And that the use and control of said rooms and said land shall be vested in the Board of Supervisors of Alameda County, for so long a time as said Board may use and occupy them for the purposes aforesaid.

Resolved, That the Secretary of this meeting transmit to our Senator and Representatives and to the City Council a copy of these resolutions.

This action was fully indorsed by the City Council at a special meeting held on the 29th of January, while a draft of a bill providing for an election by the people to decide the question, and approved by resolution, was sent to Hon. E. Tompkins and E. H. Pardee, at Sacramento, to be by them submitted to the Legislature. In the mean time the Council approved the action of the citizens in offering Washington and Franklin Squares, between Fourth and Fifth Streets, on Broadway, to the county whercon to erect county buildings, this being again indorsed on the 10th of March. The further proceedings in this regard will be found in the chapter on Legislative history, the culminating act of the City Council being on February 9, 1874, when Mr. Warner presented a certified copy of an Act approved February 4, 1874, "to enable the Board of Supervisors of Alameda County to erect the county buildings of said county on Washington and Franklin Plazas in the city of Oakland," and offered a resolution, which was adopted, that the President and Clerk of the Council be directed to execute and acknowledge the grant of said plazas from the city to the county.

Early in the year 1872 there appears to have been a little unpleasantness existing between the town of Brooklyn and its greater neighbor of Oakland, which called forth the following action on the part of the City Council of the latter place. On January 29th the accompanying resolutions were passed:—

WHEREAS, The Trustees of the town of Brooklyn have proposed certain amendments to their town charter, including one giving said town and its officers jurisdiction to low-water mark on their side of San Antonio Creek or Estuary, in order to remove any question of their power to enforce the ordinances of said town in certain cases without infringing at all on the rights of the city of Oakland, and

WHEREAS, The said amendments have been submitted to the Alameda Delegation in the Legislature with the view of securing their passage, and said delegation require first the assent of the Council in the premises.

Resolved, Therefore, that the assent of the city of Oakland is hereby given to said proposed amendment, provided, that the boundary line in other respects shall remain the same as at present, and that no rights of property shall be affected thereby.

Notwithstanding this, however, it would appear that the Brooklyn authorities transgressed their limits and called from the Oakland Council the following resolutions the 19th February:—

WHEREAS, This Council by Resolution No. 1083, gave its consent to the passage of an Act, granting to the town of Brooklyn jurisdiction to low-water mark on the eastern shore of San Antonio Creek, in which resolution there is contained a provision that the boundary lines of the city of Oakland should not in any manner be changed, nor the rights of property be interfered with, and

WHEREAS, Said resolution was adopted by this Council at the urgent request of the town of Brooklyn, and in good faith, as that town desired the right to enforce its ordinances pertaining to police regulations to low water, and done simply as a friendly act towards said town, and

WHEREAS, This Council have become convinced that the town of Brooklyn is not acting in the premises in an open and fair manner, but on the contrary are seeking by subterfuge to change the boundary line of the city of Oakland, therefore be it

Resolved, That Resolution No. 1083 be and the same is hereby in all things rescinded.

Resolved, That this Council most emphatically protest and object to any change of the boundary of the city of Oakland whereby its present territory will be decreased, or in any manner limiting or diminishing its present territorial or police jurisdiction, and to the passage of any bill granting any jurisdiction or police regulations to the town of Brooklyn within the present charter line or corporate limits of the city of Oakland.

Resolved, That this Council hereby condemns the action of the town of Brooklyn and its agents in the premises as attempting, under cover of extending its police regulations upon the water front of said city, to change the well-settled charter line of the city of Oakland without even its knowledge or consent.

Resolved, That Hon. Edward Tompkins and Hon. E. H. Pardee, are hereby respectfully requested to oppose the passage of any bill changing in any manner the charter line of said city, or rendering the same questionable or uncertain, or limiting in any manner its territorial or police jurisdiction, or granting police jurisdiction, or any other jurisdiction to any other town or corporation within its territorial or corporate limits.

Resolved, That the City Clerk be, and he is hereby instructed to forthwith transmit a certified copy of the foregoing preamble and resolutions under the seal of the city to Hon. Edward Tompkins, Senator of Alameda County, and Hon. E. H. Pardee, and E. T. Crane, Members of Assembly of Alameda County.

On the 26th February Mr. Van Dyke addressed the Council in behalf of Brooklyn, disclaiming any intention on the part of that town to change the boundaries of the city of Oakland; but the matter was eventually settled by the absorption of Brooklyn into the city of Oakland.

April 1, 1872, a certified copy of an order of the Board of Supervisors of Alameda County declaring the result of an election held in the township of Oakland on March 30, 1872, for the purpose of deciding the question of annexation of certain contiguous territory to the city of Oakland, was read and filed, when, A. L. Warner then presented an ordinance entitled "An Ordinance to Approve the Annexation of certain Territory to the City of Oakland" which was duly passed. The land so desired to be added to the city is described as follows:—

On the north by the line of division between the plots ten and eleven on Julius Kellersberger's map of the rancho of Vincente and Domingo Peralta, filed in the office of the Recorder of Alameda County, January 21, A.D. 1857, said line being produced in a straight line with itself westerly till it intersects the westerly boundary of the county of Alameda in the bay of San Francisco and produced in like manner easterly beyond the easterly line of Webster Avenue until it intersects the small creek known as Cemetery Creek, which rises in the grounds of the Mountain View Cemetery Association and flows southwesterly to its junction with another creek rising east of said Webster Avenue; on the east by said Cemetery Creek and the other creek aforesaid below their junction until they empty into Lake Merritt or Peralta, and then southerly along the west shore line of the northwestern arm of

said lake until the same intersects the northerly line of the city of Oakland; on the south by the said north line of said city; and on the west by the westerly line of said county of Alameda in the bay of San Francisco to its point of intersection with the north line already described as the line of division between Kellersberger's plots, numbers ten and eleven.

On the 15th of April the City Surveyor was directed to devise and present a plan of streets for this newly acquired territory; and on October 21, 1872, the knell of the town of Brooklyn was sounded, his Honor, the Mayor, announcing, November 4th, that he had received from the County Clerk a certified copy of the minutes of the Board of Supervisors of Alameda County, in relation to the official canvass of the returns of an election held in the town of Brooklyn on the 21st October to decide the question of annexing said town to the city of Oakland, said canvass showing a majority in favor of annexation; whereupon an ordinance was introduced by Mr. Warner, entitled "An Ordinance Approving the Annexation of certain Territory to the City of Oakland in pursuance of an Act entitled 'An Act to enable the Inhabitants of Territory adjacent to any City in this State to annex the same thereto, approved February 1, 1872,'" which was unanimously passed, thus absorbing the town of Brooklyn into the city of Oakland.

San Pablo Avenue within the city limits was declared a public thoroughfare on the 28th October of this year.

Of matters of general interest occurring during the year 1872, we find that in the month of February articles of incorporation of the Oakland Paving Company were filed in the office of the Secretary of State, with a capital stock of thirty thousand dollars, divided into three hundred shares, the Trustees being Theodore L. Walker, C. T. Palmer, and W. H. Eastman.

In glancing over the books of the Tax Collector for the year, we find that in the early part of 1872 the following branches of business and the number of each in the city of Oakland were: Auctioneers, 3; liquor saloons, 84; barber shops, 8; boarding-houses (licensed) 10; billiard saloons, 6; bakeries, 11; breweries, 3; bath-houses, 2; bill-posters, 2; cigar manufactories, 3; cigar stores, 6; clothing stores, 3; carpet stores, 2; confectionaries, 4; drygoods, 3; drug stores, 6; express agents, 2; fruit stores, 8; furnishing goods, 4; furniture stores, 2; feed and produce, 3; flour-mill, 1; game market, 1; groceries, 15; glaziers, 2; general merchandise, 2; hardware, 4; harness-makers, 3; insurance agents, 12; ice depot, 1; jewelers and watchmakers, 5; livery-stables, 8; laundry, 1; lodging-houses, 12; lumber-yards, 4; locksmiths, 1; markets, 14; marble works, 2; milliners, 4; music stores, 1; paint shops, 5; pawnbroker, 1; plumbers, 7; planing-mills, 3; restaurants, 20; real estate agents, 9; roofing agency, 1; sewing-machine agents, 3; stationers, 4; shoe and boot stores, 7; stove stores, 3; merchant tailors, 3; tinsmiths, 6; toy stores, 4; undertakers, 2; upholsterers, 2; vegetable stores, 4; variety stores, 3; wood and coal yards, 5. Besides the above there were numerous branches of trade for which no licenses were required, while there were two banks, one corn-starch factory, one brass and one iron foundry, etc.

During the month of April 1872, the Central Pacific Railroad seems to have had a run of ill-luck. On the 14th an old gentleman, eighty-four years of age, named Levi Heineberg, an esteemed resident of Oakland, was injured by the local train at the Seventh-street Depot, while, on the 20th, the locomotive *Solano* burst her boiler



E. Ward

while on duty at the wharf, but, singular to relate, without injuring any one. On the 16th May the Oakland Flouring Mill at the junction of Broadway and Telegraph Avenue was destroyed by fire, the loss being about seven thousand dollars, on which there was no insurance. The establishment was owned by Pendleton & Learned and was erected by Blanchard & Plummer in 1861.

In the columns of the *News* of June 12, 1872, we find the following plea for the preservation of the oaks: "The oak-trees which suggested the name of our city have made it what it is. At an early day they attracted people hither, and weary San Franciscans sought the comforts of a country home in our evergreen groves. If the peninsula had been a barren plain it would not to-day contain the residences of fifteen thousand people. The public schools have lately been developed and are of inestimable importance, but the original and most powerful cause of the city's growth has been the trees. As the population increases and the streets are needed for business these grand old oaks must disappear. They must also be removed from every block in the city and to make room for improvements. The number of trees has of necessity greatly diminished, and we therefore set a higher value on those still remaining. If a street is used to any great extent, trees must be removed from near its center. But let us keep them until the space they occupy is wanted. There has been too much nicety about removing trees, numerous handsome oaks have been felled because they were a few inches from the line of the sidewalk. The walks have purposely been made of an unusual width so as to permit as many trees as possible to remain. It looks like vandalism to cut down a tree because it is a foot or so outside the edge of a sidewalk. Such trees are ornamental and should be forever retained. The appearance of the city is rendered handsome and picturesque, and the comfort of the people is also promoted, for the trees are a useful barrier against the winds, as any one can ascertain by visiting the treeless localities above and below the main portion of the city. At almost every meeting of the Council there are petitions for the removal of trees, and if all these requests were complied with, Oakland would very soon be as windy and disagreeable as San Francisco. There is nothing that requires closer attention on the part of our City Fathers than this subject, and we hope that no request for the removal of a tree will be complied with without first a careful examination."

It may be mentioned that on August 8, 1872, occurred the eleventh anniversary of the breaking of the first ground at the Point for the local railway, which has since been so greatly extended. The contractors and builders of the road were Goss & Stevens, both active, energetic, enterprising men. The first spadeful of earth was thrown up by M. T. Dusenbury, then an *employé* of the company, and afterwards Teller of the Oakland Savings Bank. A stump of a tree was extracted from the extreme outer terminus of the road. Immediately thereafter a wharf was built three-quarters of a mile long, to and from which the San Francisco steamers landed and took aboard passengers and freight. The road was fully completed in one year, and the same station-houses erected along the line at which the cars now stop. But in those pristine times for Oakland—it was only now and then that a passenger was picked up or set down at Adeline, Market, or Oak Streets—the original owners, Charles Main being President, sold the road to A. A. Cohen, who, in turn disposed of his interest to the Central Pacific. The fare at this time was twenty-five cents for a single adult passenger.

John Scott, architect and builder, and about the most venerable of the pioneers on this side of the bay then, contributed no little to the comfort of the *employés* at the Point by putting doors and windows in their humble tenement and making their *casa* as cheerful as possible. This "shebang" stood on the margin of the bay, but to-day, if in existence, would be over its roof in water, the bank having crumbled away for many yards landward of the spot where it was erected. At the period when this railway was built the late James B. Larue, as we have said, had two steamers called the *Oakland* and *San Antonio*, running on the creek route, the fare also being twenty-five cents.

On completion of the line a stiff opposition sprang up and the price of passage was reduced to five cents. This state of things could not last forever, and although it was fine for travelers, it was death to the companies. Before two years had elapsed the great railroad Kings had bought off the creek boats and what followed all of our readers are fully advised.

On July 1, 1872, the total population of the city of Oakland was:—

Males over twenty-one years.....	3,350
Females over eighteen years.....	2,950
Males between sixteen and twenty-one years.	525
Males between five and fifteen years.....	1,163
Females between sixteen and eighteen years.....	200
Females between five and fifteen years.....	1,344
Colored, Indians, etc., of all ages.....	70
Floating, not obtained in the canvass.....	275
Chinese, male and female.....	900

On November 14, 1872, Oakland was called upon to mourn the demise of one of her most faithful and beloved citizens. The Hon. Edward Tompkins expired on that date at his residence on Alice Street. His place of nativity was the charming and romantic village of Paris Hill, Oneida County, New York. The year of his birth was 1815. In his childhood he had only the advantages of an education which at that early day, and in the uttermost settlements of civilization in New York, could only be acquired in the log-cabin or at the humble fireside of the rustic cottage. But our youthful hero, industrious, plodding, and determined to win a name and fame for himself, stuck to his books and finally succeeded in preparing himself for college. He entered Union University at Schenectady, in the class of 1831, that being the only college in the State of New York, in those days, except Columbia, in the city of New York, while in college and shortly after its foundation he connected himself with the "Sigma-Phi Society," and up to the year of his death always kept up his interest in its welfare and prosperity. He frequently met with the brethren at their annual reunions in San Francisco. The late Hon. Edward Norton of the Supreme Court of this State was a college-mate of Mr. Tompkins. Shortly after graduation, he went to the city of New York, where he studied and subsequently practiced law. His health failing him, he removed to Binghamton, Broome County, where he at once entered on an extensive practice, and it was not long before Hon. Daniel S. Dickenson, one of the brightest luminaries of Southern New York, honored the young Blackstone with a full partnership. The firm did a prosperous business, and in 1837 the young lawyer took to wife Miss Mary Cook of Bridgeport, Connecticut. After years of incessant

toil at the Bar, he had to seek again a change of climate, and so in the Fall of 1859 he came to California.

He was then comparatively poor, having lost seriously from his hard won earnings by unfortunate investments. On a beautiful November morning, shortly after his arrival, he climbed Telegraph Hill with a friend, and all exhausted stood panting on its summit. Regaining breath and strength he feasted on the gorgeous panorama around him, the Golden Gate, the distant hills of Marin and Contra Costa just donning their winter garb after the first autumnal rains, and the bustling, thriving city at his feet. Reclining on a step of the old telegraph station, he exclaimed, "This shall be my home!" He took in the situation at a glance. On that same day he made the acquaintance of the eminent law firm of Halleck, Peacy & Billings, and shortly thereafter formed a partnership with Mr. Barstow. Some years before coming out to California Mr. Tompkins lost his wife. In December 1861, he married Sarah, half-sister of the late ex-Governor Haight. About this time he formed a co-partnership with Havens & Belknap, a leading law firm of San Francisco. After dissolving his business relations with them he took his eldest son in as a partner.

Mr. Tompkins came to Oakland to reside in 1863, and after living a short time at the residence of Rev. Mr. Willey, erected a cozy homestead on the banks of Lake Merritt. Here he lived and died.

Whether in the halls of Legislation, in remote parts of the Commonwealth, or in distant States, his thoughts and whole existence were centered in Oakland. He ever rejoiced with her in her prosperity and sympathized with her in her adversity, of her, he never tired to speak, and when away up in the far-off mountains, he would exclaim,

"My heart untrammel'd, fondly turns to thee."

During his residence in Oakland, what had he not done to advance it in all the elements of material progress? To recapitulate only all that he did would far exceed the limits prescribed to us in this imperfect notice. In Church, in State, in University, in Municipal affairs, Edward Tompkins' influence was felt, and only for the good and right and just. No panegyric can overestimate his services in behalf of Church, City, and State; none but appreciate the invaluable services rendered to the cause of Religion, the cause of Morality, the cause of Education, the cause of Progress and General Enlightenment.

Mr. Tompkins never held, only because he would never accept, a municipal office in Oakland; but that he faithfully represented the interests of the city let his record in the last and previous Legislatures in which he served attest, and bear all potent witness. His efforts to secure the removal of the county seat; his exertions in getting the splendid appropriations, after months of labor and struggle, for the University; his advocacy of material interests, which, directly or indirectly, might benefit the county and the city of his adoption; lo! are they not written in the chronicles of the city of Oakland and county of Alameda.

But his last great generous crowning act of his life was that munificent donation to the University of the State of California. He was proud to see the foundation laid at Berkeley; he lived to usher its President into office, but he died before witnessing the full realization of his high hopes and fond anticipations. He died in middle manhood, in the very zenith of his fame and usefulness.

Eulogistic tributes poured in from all quarters; the Bar; the students of the University; the Firemen; the Board of Regents; the Faculty of the State University; all sent their meed of praise in the shape of resolutions, and all concurred in what Sir Walter Scott said of Fox:—

“ He had genius high, and lore profound,
And wit that loves to play, not wound.”

The last item we have to notice in 1872, is the death of Colonel Watkins at the end of the year. He was a native of Kentucky, and at the time of his death was fifty-three years of age. He had been for a long time in the practice of law at Marysville, and was the first Police Judge of the city of Oakland.

1873.—Early in this year a company was started having for its purpose the establishment of railroad communication between the interior valleys and tide-water at Oakland, a matter that received the attention of the City Council, who, in furtherance of the scheme, on January 27th, passed the following resolutions:—

WHEREAS, Recent history has shown the great advantage that locations have received from the outreaching arms of railroads, and

WHEREAS, Oakland is the natural tide-water terminus of the required railroads of California; and

WHEREAS, A company is now being organized to connect the rich valleys of Contra Costa County with the city of Oakland by a narrow-gauge railroad, therefore be it

Resolved, Through its City Council assembled, that the city of Oakland will render such aid in the construction of such road as the interests of the city and the powers of the Council thereof may warrant.

One of the valuable achievements of the year 1873 was the construction of what may be properly termed the city wharf, being built at the city's expense, and upon the only space of water front which the city has a right to call her own. The wharf at once proved itself a success beyond which its most earnest advocates had anticipated. It was completed August 5, 1872, at a cost of nineteen thousand six hundred and thirty-five dollars and ninety cents. From that date to February 25, 1873, its gross earnings amounted to one thousand nine hundred and sixty-four dollars and sixty-nine cents, which sum more than paid all expenses besides the interest on investment. The rates of wharfage were reduced thirty per cent. from former charges, a most satisfactory change to patrons, and which produced its benefits.

On April 7th a petition was presented to the Council, signed by three hundred and fifty citizens of Oakland, to the following effect:—

Your petitioners respectfully request and represent that it has become necessary for the convenience of the traveling public to increase the facilities for transporting passengers from the city of San Francisco to Oakland and Alameda, to increase the number of trips daily so that a train of cars can run each way every half hour from and to Alameda and San Francisco, and through the city of Oakland. To this end your petitioners respectfully ask your Honorable Body to grant to the Central Pacific Railroad Company the right to lay down and operate a double track railroad from its connection with the present road on Seventh Street, between Webster and Harrison Streets, and running thence on a curve across Harrison Square and cutting a small corner off the school lot to Alice Street; thence on Alice Street to and across the San Antonio Creek to Alameda with the right to erect a draw-bridge across said creek to accommodate the railroad and vessel interest, for all of which the undersigned will ever pray, etc.

A resolution was passed on the 8th, granting the right of way sought, it being at the same time directed that both it and the ordinance should be published in the morning papers; a substitute ordinance was adopted on the 21st, but it did not materially differ from the original enactment.

On October 13th the Oakland Farming, Industrial, and Horticultural Club was granted the use of the Council Chamber wherein to hold their meetings; while, December 13th, a resolution was passed, tendering suitable rooms to the Supreme Court on behalf of the city of Oakland, in the event of its being removed thither.

Under the head of general matters we may state that in the month of March, 1873, an old landmark in the shape of a house that stood on the north side of Eighth Street, in the rear of where the City of Paris drygoods store was located, the site being now occupied by the property of Mrs. Steele, was moved. This building was erected in 1853 by Eli Alexander, in the lower story of which he kept a store, occupying the upper story as a residence. At that time there was but one other building upon the entire block, and not a great many in the whole city. The other building in the block was built and occupied by an old German named Dombroske, who tuned pianos for a living. As there were but two or three of those instruments in the place in those early days, the piano-tuner obtained the greater part of his business by traveling about the country. In 1855 Alexander sold the building to one Augustus Hellwig. Judge Blake moved into it in 1857, and occupied it about two years. Mrs. Blake's well-known seminary, then in its infancy, was carried on there at an early day. Previous to this, however, it had been occupied for a time as a lodging-house by a member of the Smith family, and it was some time during that period that Judge A. M. Brocklebank, a well-known lawyer and brother-in-law to the late ex-Governor Weller, died there. The building was purchased by Dr. Sanford, a druggist, in May, 1862, and was shortly afterwards moved to the rear lot, where it was fitted up as a dwelling, and stood until the final moving. The brick building now occupying the northeast corner of Broadway and Eighth Street was then built. The old wooden pioneer was occupied by Sanford from August, 1862, to August, 1868. A former Councilman, I. W. Knox, then lived in the northern part of the city, and happening to lose his house by fire, moved into Dr. Sanford's building, where he remained some months. Up to the date of which we write, it was used as a lodging-house, while the place to which it was taken was the corner of Market and Nineteenth Streets.

In the month of June, 1873, the famous Grand Central Hotel was completed, it having been built by "day work" under the constant supervision of Doctor Merritt, from whose fertile brain also came the design of the immense and handsome structure. It was four stories in height with a mansard roof and brick basement, the whole surmounted by three immense towers. There were three front entrances on Twelfth Street, while the building occupied the block bounded by Webster, Harrison, Eleventh, and Twelfth Streets. It was destroyed by fire March 2, 1881.

Doubtless every man and woman who has resided ten years and upwards in the city of Oakland, will remember the rusty old six-pounder which lay for years within twenty or thirty feet of the sidewalk on Washington Square; but there are very few probably now remaining in Oakland who know of its early history. There is not much to be said of it, but the little there is, is worth repeating. The gun was known by the older inhabitants as the "Squatter Gun." The land on which Oakland is located, and the country for miles to the north, was in possession of squatters, and warm times were anticipated by them in their determination to hold their ground. The gun in question was purchased by the squatters from the captain of a vessel

which came around the Horn, and was brought over to Oakland in 1852, to be used for giving an alarm to the occupants of the entire valley in the event of an attempt to forcibly eject any of the possessors of the land. It was at first proposed to procure a bell for that purpose, but the advocates of that means of signaling succumbed to the argument that the sound of a bell could not be heard as far as the report of a cannon, and so the Squatter Gun was procured. Fortunately it was never required for the purpose for which it was brought to Oakland, but it frequently performed good service in after years in giving loud expression of the patriotism of the inhabitants on each national anniversary. And yet another landmark disappeared in the year 1873. The ticket and passenger depot of the local ferry, which had occupied the middle of the thoroughfare at the corner of Broadway and Seventh Streets, for nine years previously, was lifted upon a couple of platform cars on the 23d July, and at four o'clock precisely was hauled away from that locality to fulfill the remainder of its destiny elsewhere.

On the night of September 20th McClure's Military Academy was destroyed by fire, the handsome residence of the Principal being saved only by the most strenuous efforts of the department. During the season 1873, we find that forty vessels were loaded with wheat and six with barley, between July 1st and the end of the year, the quantity of wheat taken being one million five thousand four hundred and twenty-five centals, besides eight-one thousand five hundred and forty-nine centals of barley.

On December 3, 1873, Oakland was treated to quite a respectable fall of snow—not so heavy, however, as that which occurred on December 31, 1882—and as such meteorological luxuries do not come around very often, Oakland made the most of it. The ground on the lee side of buildings and clear open spaces was covered with the flaky visitant of sufficient depth to enable an industrious person to scrape enough together to form snow-balls, and snow-balling was indulged in by all so long as the material lasted. Youngsters who had never seen so much snow in all their lives, took to the sport as naturally as though they had been born and reared in a snow-bank, and men who remembered the sleigh-rides they used to take “back in the States,” became quite gleeful over the old familiar sight, while its presence developed a number of jokes and much pleasantry.

Towards the end of the year a silk manufactory was started under the superintendence of John Green, who had two looms at work turning out beautiful ribbons of all colors, but the affair did not take sufficient hold of Oakland's capitalists, therefore it died, notwithstanding Mr. Green carried off the State Agricultural Society's gold medal for his exhibition of home manufactured silk.

1874.—On June 8, 1874, permission was granted to erect a drinking-fountain on Tenth Street, to the Land and Loan Company; and, on the 29th, the office of City Physician was created; while, on November 9th, an ordinance regulating the hours of keeping open bars, liquor saloons, and all places within the city where spirituous, malt, or fermented liquors or wines are sold in less quantities than one quart, was passed.

In the month of February articles of incorporation of the Oakland Gold and Sil-

ver Mill and Mining Company were filed, the object of the association being to acquire and work mines in Humboldt County, Nevada. The directors were: A. L. Page, G. A. Miller, W. Graham, B. F. Broiers, I. Ames, E. W. Woodward, and P. Johnson, all of Oakland. Capital stock, four millions of dollars, divided into forty thousand shares of one hundred dollars each. On the 24th February articles of incorporation of the Oakland Harbor Improvement Company were filed, its object being to dredge and open a ship-channel across the bar at San Antonio Creek, and protect the same by suitable means; to improve and make navigable the waters of said creek and estuary, and to connect by a canal the bay of San Leandro with said creek or estuary, and to construct along the line of and adjacent to said creek and canal, suitable wharves and warehouses, for the accommodation of trade and commerce, and to construct across the mouth of San Leandro Bay a suitable dam, with flood-gates sufficient to turn the waters of said bay through San Antonio Creek; also to purchase and acquire all necessary property, franchises, rights, and privileges for the carrying out of these objects. The principal place of business was declared to be at Oakland; the time of existence fifty years; the capital stock two millions of dollars, divided into one hundred thousand shares of twenty dollars each; the directors, G. W. Bowie; William Graham, F. Chappellet, G. M. Fisher, W. H. Gorill, Elijah Case, Z. Montgomery, E. W. Woodward, John Doherty, R. C. Gaskell, and C. H. Twombly, all of Oakland.

On March 1, 1874, the Plymouth Avenue Congregational Church was dedicated, the trustees for the first term being W. K. Rowell, W. M. Boyd, A. Pratt, W. H. Jordan, and W. H. Love; and in the following month the Odd Fellows' Cemetery Association was formed, a board of directors of two delegates from each lodge, one from the Encampment, and two at large being elected. On May 12th the Alameda County Savings and Loan Society filed their certificate of incorporation with the County Clerk, having a fully guaranteed capital of five hundred thousand dollars, and a list of directors and stockholders embracing fifty of the best citizens in Oakland and the county. On August 1, 1874 the Alameda County Savings and Loan Society opened their bank at No. 969 Broadway, near Tenth Street, the officers being: B. F. Ferris, President; Israel W. Knox, Vice-President; L. W. Kennedy, Secretary; B. F. Ferris, Treasurer; Galen M. Fisher, Cashier; Hon. Zach. Montgomery, Counsel; Theo. A. Mudge, Surveyor; Directors: B. F. Ferris, Henry Durant, Elijah Case, George G. Berry, Zach. Montgomery, Israel W. Knox, John Curry, W. Newcomb, George Tait' Charles H. Twombly, L. W. Kennedy.

1875.—The first item for the year is on the 23d of January, when the City Council and Board of Education took official cognizance of the death of Mayor Durant, in the following resolutions:—

Our honored Mayor, DR. HENRY DURANT, has been called away from us by death. We bow down in sorrow under the blow. We are at a loss to express the emotions in us to which this sad event gives rise. There was that in the man which drew forth towards him more than a cold respect, more than perfect confidence in him as a public officer. His qualities made his relations to us seem nearer and warmer than one of mere official position; we felt towards him rather as towards a venerated and beloved father and friend. We knew him to be the very soul of truth and honor; warm in his friendship, wise in his councils, unselfish in all his impulses; having the best interests of our city at heart, even as his own.

He has long stood among us as the foremost promoter of public education in all its branches, a guide and an example to the young.

His broad charity was such that all, of whatever class or opinion, counted him their friend.

His long residence in this city, dating back almost to its first settlement, and the numerous positions of trust which he has been called to fill, have but deepened the universal confidence and esteem in which he was held; and as we look back upon the many stations of responsibility in which his truly great abilities, as well as his virtues, caused him to be placed, we can but wonder at the power for good that went forth from all his life. And now that he has gone from us, we appreciate more fully than ever before the greatness of his worth and services.

In view of these facts, We, the Council of the Board of Education of the city of Oakland, feel impelled to give this just expression, inadequate as it is, to our deep sense of his virtues and to our sorrow at his death; therefore be it—

Resolved, That in the death of Mayor Durant, the honored head of our city government, we mourn the loss of a wise leader, and a true friend, and that this community and the State at large sustain a great public bereavement.

Resolved, That we deeply sympathize with the stricken widow in her loneliness, feeling in our own sorrow how great hers must be who stood in so much nearer relation to the deceased.

Resolved, That the Clerk of the Council be instructed to forward to her a copy of these expressions of our respect and sympathy, that they be spread upon the minutes of both the Council and the Board of Education, and that copies be furnished for publication to the daily papers of Oakland and San Francisco.

It may be remarked that during the funeral of the deceased Mayor, business was entirely suspended, all the public schools closed, and the Council attended the obsequies in a body.

The next official act performed by the Council in the year 1875, of which we shall take cognizance in this place, was on the 25th October, when the following resolutions were passed, on the demise of George W. Blake, a gentleman who had been prominently identified with the city for many years, and had been some time one of its officials:—

WHEREAS, By the grim fiat of the inexorable foe our friend and predecessor George M. Blake, who once graced a seat in the Council of this city and by the vigor and force of his intellect materially assisted in the conduct of its affairs for a term of years with a degree of high honor to himself and universal satisfaction to the people, but in accordance with a universal law he has yielded to the common fate of man and passed away from earth amid the full luster of his years, his virtues and his usefulness; and

WHEREAS, In his social and personal character he was ever conspicuous as the kind and devoted husband, faithful friend, exemplary citizen and honorable gentleman, associating himself with every benevolent and charitable enterprise, standing forth prominent among men as Saul stood among the Prophets, as a man whose philanthropy was co-extensive with the spontaneous emotions of his noble and generous heart, a man who studied diligently in the aggregate the greatest welfare of his own race, and in the detail the greatest comfort of those in his immediate surrounding; who to his friends and such were all with whom he came in contact, never ceased to make himself a source of cheerfulness and joy, imparting to them his magnetic influence, his genial spirit, his grateful pleasantness and warm emotions; therefore be it

* *Resolved*, That in his departure the City Council and the whole community in which we live have sustained a common loss, at a time too when Oakland can ill afford to part with any of her venerable pioneers who one by one are receding from our midst and whose places it is most difficult for the survivor to fill.

Resolved, That while conscious of the vanity of human solace in the midst of their profound bereavement, this Council but deem it proper to tender to the surviving wife and relatives of the departed our deep heartfelt sympathies, knowing that He who tempers the wind to the shorn lamb will give them strength, fortitude, and solace in this apparent dark and dismal hour.

Resolved, That the above be placed on the records of this Council and a copy be sent to the bereaved widow with the seal of the city attached.

It may be remarked that the widow of Judge Blake was one of the original educators of the city of Oakland, and had a seminary at the Blake House on Washington Street.

In the month of April, 1875, the corner-stone of the Presbyterian Church was laid, the pastor Rev. Doctor Eells, being assisted in the ceremony by Revs. Messrs. Ham-

mond, Anthony, McLafferty, Hamilton, and McLean, while, in the month of October, the Newark Land Association was incorporated, with a capital of seven hundred and fifty thousand dollars, the Directors being C. Mitchell Grant, J. Cochran, J. Barr Robertson, Stewart Menzies, and D. A. McDonald, and the objects being to purchase, sell, and lease real estate in Alameda County; to lay and maintain streets, roads, and avenues through the same; to erect hotels and buildings of all kinds; to lay out town sites and to dispose of the lots thereon and generally engage in a real estate business; and, in the same month, the articles of incorporation of the Santa Clara Valley Railroad Company were filed in the office of the County Clerk of Santa Clara County, the object of this enterprise being to build a railroad from Dumbarton Point, Alameda County, *via* Alviso to Santa Clara, San José, and Santa Cruz, the following named gentlemen being Directors: H. Bartling, R. D. Coldren, E. L. Derby, San José; N. B. Perrin, San Francisco; John Lowrie, Alameda. Capital stock, one million dollars in ten thousand shares of one hundred dollars each. This road has since been amalgamated with the South Pacific Coast Railroad.

1876.—In his message of February 28, 1876, the Mayor remarks:—

"During the official year just closing it has not devolved upon the Council to act upon any important or decisive question of public policy. Your principal labor has been the consideration of the thousands of minor affairs connected with the city government. Mistake or neglect in the discharge of any of these would speedily produce confusion and injury. At the beginning of the year the general condition of our affairs was eminently satisfactory and by your careful attention to duty the Council which will succeed you will labor under no embarrassment of any nature.

"Each department has been managed with economy and ability. All connected with the city government seem to have taken pride in attending to their duties well and thoroughly.

"Our population consists of those who have come here on account of the many opportunities for establishing a profitable business in every department of trade; the mechanic, for whose skilled hands there is a never-failing supply of remunerative employment, and those who have been attracted by our climate, the beauties of the city, and the excellence of our system of free schools, and by the moderate cost of procuring comfortable and elegant homes which could only be obtained by the expenditure of a fortune in the Metropolis. It is the policy of the city to aid in all proper ways the further development of those influences which have brought Oakland to its present gratifying condition.

"Dropping from sight for a moment the fact that it is the duty of the community to provide ample educational facilities for the young, it can readily be shown that such a cause is highly profitable, judged from a standpoint of individual interest. If an eligible town site were owned by some one person it would be a profitable investment for him to provide at his own cost the best possible system of public instruction. It is fortunate for us that at an early day there was adopted a policy alike liberal, humane, and profitable. Many thousands have been influenced in favor of Oakland wholly by the fame of our schools; they have purchased land, built houses, and by their business patronage constantly contributed toward the common prosperity.

"The low death-rate, the remarkably small degree of mortality among young children; the many things that have aided in the beautifying and adorning of the city have also been potent influences.

"We should be anxious to carry out all measures that will promote the health of the people and to assist in the ornamentation of the city by such legislation as comes within the power of the Council. Reasonable expenditures in that direction will prove to be good investments.

"It was estimated in June last that the population of Oakland was twenty-five thousand, and with all the information attainable I am of the opinion that the calculation is correct. Since that time there has been a continuous increase, so that in all probability a census taken in June 1876 would show a population in excess of thirty thousand persons. A census of the children in the city is taken annually by an appointee of the Board of Education, so that we have partial data for an estimate.

"I regard it as very important that there should be a correct enumeration of our whole population every year. A knowledge of that fact is desirable for several purposes. It would be valuable for the Council in legislation; it would be of very great service to the Health Department, and of importance in all cases where it is necessary to pass upon measures affecting the interests of the people as a whole.

"A thorough census can be taken through the Police Department at a nominal cost. Every section of the city patrolled by a regular or a special policeman and the occupants of every house are, or should be, known to some of them. To avoid any interference with their routine duties a month might be allotted as the time in which the enumeration should be taken. The blanks should be prepared by the Health Officer, who should also prepare suitable instructions. The work should be apportioned and the men detailed by the Captain of the Police so that there could be no possible clashing of duties. I believe that a census taken in this manner would possess more than ordinary accuracy and that the only expense attending it would be the cost of stationery and the wages of a clerk for not more than two weeks in a year.

"As *ex officio* President of the Board of Health, I have attended its sessions, and have been well pleased with the care and attention which the members have given to the discharge of the important duties devolving upon them. The report of the Health Officer is a document of very great value, and is replete with information that is of practical worth. Within the last two years the labor devolving upon that official has vastly increased. The records of the office are becoming somewhat voluminous, the issuance of burial certificates, the recording of births, and the inspection of nuisances demand much time and attention. These services are performed without charge to the city, and in a very able and faithful manner. By a careful study of the data collected and arranged by him, it becomes possible to ascertain some of the preventable causes of disease and death in our city, and to take suitable precautions. The Health Officer is *ex officio* City Physician. In that capacity it is his duty to inspect the prison not less than three times per week; have control of the regimen of the prisoners; examine all supplies furnished, and see that they are wholesome and sufficient; and he is the medical attendant of such prisoners as may need his services, for which he is entitled to the usual fee. He reports having

made one hundred and fifty-three visits last year, so that his compensation has been quite moderate for the various duties performed. It is essential that there should be a medical visitor to a prison as large as this. It might be a salutary check upon officials who were disposed to be cruel, and it is a guarantee that the food of the inmates shall be wholesome and delivered in suitable quantities. Under the dietary table prepared by him, the daily cost of the maintenance of each prisoner is sixteen and one-quarter cents per day. Attention has been given to the cleanliness of the prison, and there seems to be no opportunity for improvement in its management.

"The Captain of Police and the City Physician are equally entitled to credit in this matter.

"A few months ago the small frame building near the mouth of the San Antonio Creek, used as a pest-house, was destroyed by fire. It would be no more than common prudence for the Council to authorize the Board of Health to lease a piece of ground for a term of years, and erect a suitable building which need not cost more than five hundred dollars.

"The city has long been free from the small-pox, but it is well to be prepared so that there will be no delay when action is necessary.

"Needless trouble may be experienced in prosecutions for the abatement of nuisances. It may be necessary to prove, for instance, that certain houses are not connected with the sewers in the adjoining streets. The burden of proof should be changed; it should be presumed in such prosecutions that there is no sewer connection. In hundreds of cases it would be impossible to prove this negative proposition, and it is highly proper to relieve the officers of the law from such an embarrassing position."

In respect to the city wharf and city front, the Mayor continues:—

"The only frontage on the San Antonio Creek owned by the city is upon its northern side, and between the middle line of Franklin Street and the easterly line of Webster Street. A wharf is built upon this property in the form of a hollow square, and bonds to the amount of twenty thousand dollars were issued to provide funds to pay for its construction. It was completed in August, 1873, and the rates of wharfage and dockage established were expected to more than pay the interest and its running expenses.

"The business has of late increased beyond all contemplation, the receipts for 1875 amounting to seven thousand three hundred and two dollars and ninety-eight cents. During the same time the number of vessels arriving was eight hundred and ninety-three. The principal commodities received were wood, coal, lumber, and brick, all bulky articles which cannot be removed as speedily as landed. In large cities wharves are specially designated for this kind of business. It is indispensable that the area of such a wharf should be greater in proportion to its frontage than a wharf used for the landing of merchandise in boxes and bales, and its revenues can not be as great. Three sloops may occupy as much frontage as a large clipper, and the amount of dockage they would pay would be absolutely insignificant in comparison with what would be received from the larger vessel during the same length of time. Thus far there have been adequate accommodations; but if the business increases as rapidly during the current year as it did last year, an enlargement will be

necessary. It is not improbable that before the close of the year there will be such an improvement, for I think that in its present shape it will by that time be worked up to its fullest capacity. This wharf is a source of considerable profit to the city, but that consideration is of minor importance when contrasted with its great utility to the public. It has been managed with prudence and economy. In this connection I would suggest the propriety of appointing a Standing Committee to have general supervision over the wharf and other water-front matters. There is now need of a few simple regulations, for I presume that very nearly two thousand small vessels enter the creek annually. Numerous steamers and other water craft are also laid up, and there should be some authority to regulate the positions they should occupy so as not to interfere with navigation.

"I would also recommend that the ordinance prohibiting the discharge of fire-arms within the limits of the city be so amended as to exempt those portions of the water front and marsh land which are remote from any highway or building, as the ordinance seems to be a needless restraint upon persons desirous of hunting wild game during the winter months."

Consequent on the death of William Hillegass, a much respected pioneer citizen of Oakland, the city authorities under date March 20, 1876, passed the following resolutions of condolence:—

Resolved, That we, in Council assembled, deeply deplore the sudden demise of our friend William Hillegass, whose death took place this day, March 20, 1876, at his residence at Berkeley, and have always found in him one of the truest friends of our city, always ready to do his duty fearlessly, and for the past quarter of a century spent his life in doing all that could be done to promote the cause of justice and humanity; kind, affable, and generous to a fault, like the departed J. Ross Browne, takes his flight to the world of peace without one in all the many with whom he became acquainted to say other than: "We mourn our honest friend, most worthy citizen, and most exemplary man."

On June 19, 1876, an ordinance granting to the American District Telegraph Company of Oakland the right to construct and maintain telegraph lines in the city, was passed; while, August 7th, there also became law the ordinance for securing the health of the city and regulating the amount of air in each room used for lodging purposes.

On June 28th of this year the articles of incorporation of the West Oakland Masonic Hall and Building Association were filed, the Trustees being George W. Drake, Natale Gamboni, Louis Hufschmidt, Gugeishlmo Beretta, Joseph Hollywood, Edward T. Taylor, Henry Hufschmidt, William Wagner, Fred. Gamboni, Fred. T. Houghton, of Oakland, and Andrew Sharboro, of San Francisco; capital stock, fifty thousand dollars.

On August 9, 1876, his pseudo-Majesty Emperor Norton visited Oakland, and issued the following Imperial edict, which, had it been carried out to the letter, would have put an effectual stopper on many matters that have since made many sore-heads:—

WHEREAS, The action of the United States Senate in the Belknap affair proves the total depravity of the present system and Constitution of the United States, being unable to punish crime, now, therefore, WE, NORTON I. DIE GRATIA, EMPEROR, in order to save the nation from utter ruin and disgrace, do hereby abolish the entire *Washington system*, and declare the laws of NORTON I. paramount, for the present.

In the month of August of this year the submarine cable across the the bay,

putting Oakland and San Francisco in direct telegraph communication, was laid by the Western Union Telegraph Company.

1877.—Under date, May 3, 1877, we find the following minute on the records:—

“At a special meeting of the Council, held this date at one o'clock P. M., were present: Messrs. Fish, Sohst, Grinnell, Miller, Fonda, Miner, and President Walter.

“President Walter stated the object of the meeting; that the same was convened to make definite arrangements to attend the funeral of ex-Mayor John B. Felton. Suitable resolutions had been prepared, and he called upon Hon. F. M. Campbell, City Superintendent of Schools, to read the same, who rose and pronounced the following eloquent and fervent eulogistic resolutions:—

WHEREAS, By the stern decree of the inexorable foe, our community is plunged in deep grief by the passing forever from us, in the meridian of his years and in the fullness of his great renown, our loved and venerated fellow-citizen; and

WHEREAS, During his residence among us he has ever, as Chief Executive Officer or private citizen, stood forth strong, reliant, and true, as the champion of our city's interests whenever and wherever they have been assailed or threatened, bringing to that service all those rich and rare accomplishments of his great intellect, ripe scholarship, untiring energy, and cool judgment; and

WHEREAS, The unequalled growth and material prosperity of our city, in which he loved to live and was willing to die, are largely and chiefly the result of plans conceived, matured, and executed by him; and

WHEREAS, For our splendid educational facilities, by the creation and founding in our midst of the University of California, so much is due to his wise counsel and unceasing labors, prompted and stimulated by his loyal love for learning, and the noble desire to place them fully, freely, and without discrimination, within the reach of all; therefore, be it, by the Mayor and City Council, of the city of Oakland,

Resolved, That in the death of the Hon. John B. Felton, Oakland has lost one of her most distinguished and valued citizens and wisest counselors; the State and county the eclipse of one of its most brilliant intellects; the community of letters a loyal and devoted member; the cause of free, universal education an earnest and self-sacrificing supporter; the law a profound exponent and a shining ornament; and society its model of the true and courteous gentleman—one whose charity was as broad as the frailties of men, and whose ready hand ever responded to the promptings of his unbounded generosity, and who, with a heart as great as his brain, could, in the unceasing pressure of the most important business, always find time and inclination to listen to and advise each and all of the many who were wont to go to him in their dark hours of adversity.

Resolved, That the public business of the city be suspended on Friday, May 4th, from and after 11 A. M., and that the municipal officers attend the funeral of our loved friend in a body.

Resolved, That, with a due sense of how unavailing are all expressions of human sympathy and consolation in the shadow of so great an affliction, we nevertheless reverently extend to the bereaved family our sincere and heartfelt sympathy and that of the entire community.

Resolved, That these resolutions be entered in full upon the minutes of the Council, and a copy, under the seal of the city, be transmitted to the widow of our departed friend.

“The resolutions were adopted on motion of Mr. Miner, by the following vote: Ayes, Messrs. Fish, Sohst, Grinnell, Miller, Fonda, Miner, and President Walter—7. Noes, none.

“His Honor Mayor E. H. Pardee then rose and delivered the following elegant and feeling tribute:—

MR. PRESIDENT AND GENTLEMEN OF THE COUNCIL: Gratitude for the kindness of a *friend*, as well as reverence for the greatness of a *man*, admonishes me to unite my voice with yours on this sad and mournful occasion, for our departed friend and esteemed citizen. And if an apology be needed that thus early I claim your time and attention, allow me to say that from the lips now closed and fixed, and the voice now hushed in death, came first the encouraging words of deep sympathy, in tones of heartfelt gentleness, when I lay prostrate from sickness, two years ago.

And I am glad to know that in every mountain, and in every valley and ravine of California, dear and cherished friends join us to-day, with wounded hearts, over the untimely death of this good man.

John B. Felton was a man free from artifice and disguise. His every thought and instinct were chivalric. Not to adventitious circumstances, not to the chances of birth or fortune, not to the society in which he was thrown, was he indebted either for the distinction to which he rose in life, or to the grace that adorned his private character. He never borrowed the thoughts or sentiments of others. His great mind and noble heart were of American growth, while his manly and eminent virtues served to illustrate our high national character. He had nothing to disguise, nothing to withhold, and nothing to ask for that was not just; and I once heard him remark that he had rather be right and alone, than to be wrong with the whole world.

Amid all the fluctuations of public sentiment and all the mutations of party, he pursued the path of duty by the light of principle, and dying, leaves behind him an example of consistency and public virtue upon which the patriot may ponder with pleasure, and from which the mere aspirant for worldly honor may draw an instructive lesson; and his life is a beautiful illustration of the truth that the line of duty is alike the path of safety and the way to honor.

"His life was gentle, and the elements so mixed in him
That Nature might stand up
And say to all the world: This was a man!"

"On motion of Mr. Fonda the above remarks were ordered spread upon the minutes, which was carried *nem. con.*"

The following minutes entered upon the official record July 25, 1877, will show to the reader the steps taken by the authorities of the city of Oakland to prevent such disgraceful scenes occurring in their town as had taken place in San Francisco. These are popularly known as the "July Riots."

"At a special meeting of the City Council held this date at 9:30 o'clock A. M., were present Messrs. Fish, Sohst, Grinnell, Miller, Fonda, Miner, and President Walter. The city clerk read the notice of the call, and the President explained more fully the object of convening the Council—in the main to prevent any insurrection or riots similar to those at the East, and under the present excitement to allay any lawlessness which might arise, and enact prompt and decisive measures to arrest the same. He called upon his Honor, the Mayor, to address the Council; who stated that he had supposed that Oakland would be free from any lawlessness, but became convinced that decisive measures should be taken. After listening to a speech by Mr. Redstone, on the evening previous, he had therefore requested the President of the Council to call the same together, in order that the legislative body of the city might cooperate and assist the Executive. He had ordered Captain Rand to enroll five hundred special policemen, to be ready if such emergency existed. Doctor Merritt and Hon. A. C. Henry then addressed the Council, concurring fully in what had been expressed by his Honor, the Mayor. Captain Rand stated that in accordance with an order he had issued from the Mayor, many had made application to become specials, and he had ordered them to report at one o'clock P. M. to-day.

"President Walter called upon A. A. Moore, Esq., for legal advice, and that gentleman stated that he appeared in behalf of City Attorney Vrooman, who was ill; he read the law, and that portion from the Code to govern the Council.

"Mr. Burnham, Chairman of the Board of Supervisors, being called upon, stated that he had called upon the Messrs. Redstone, relative to Franklin Square being chosen for a mass-meeting this evening, and they stated that they would use Jefferson Square for that purpose, and any attempt to incite an insurrection they would suppress, as they were law-abiding citizens and should respect the laws.

"Mr. F. M. Campbell moved that in view of the present excitement Mr. Burnham be requested to wait upon the Messrs. Redstone and get them to desist from holding

a mass-meeting this evening. Mr. Campbell spoke at length upon the necessity of preventing assemblies of people being congregated and listening to speeches citing grievances and wrongs which would inflame and be destructive in its consequences. His remarks were incorporated in a motion, and upon Messrs. Miller and Merritt being added as the Committee were adopted *viva voce*.

"Mr. Campbell suggested that the Council issue an address calling upon the citizens of the city of Oakland to abstain from acts of violence, or meeting together for any purposes unlawful, and that the proclamation embody the law upon the subject. The President entertained a motion to that effect made by Mr. Sohst, and it was adopted *viva voce*. The President appointed Messrs. Fish, Grinnell, and Fonda of the Council, and citizens Campbell, Houghton, Wheaton, and Walker.

"Mr. Sohst stated, in view of the public feeling he considered that the Council should pass a resolution or ordinance not to accept a bid from any paving company or grant franchises to any corporation who employed Chinamen—it would do more good than five hundred policemen or an address.

"A resolution indorsing the action of his Honor, the Mayor, in calling for five hundred special policemen was then introduced and unanimously carried, after which the Council took a recess. On re-assembling, Gen. J. F. Houghton read the following address as the report of the Committee:—

TO THE LAW-ABIDING CITIZENS OF THE CITY OF OAKLAND: The Mayor and Council of your good city, in view of the unusual excitement prevailing in many Eastern cities, and in the city of San Francisco, and desiring to avoid similar occurrences within our limits, do most earnestly request that all good citizens shall refrain from holding or attending any public assemblies held for the purpose of discussing any grievances or topics of a public nature during the present week, and particularly any public gatherings which may be held to-night, and that all good citizens will avoid joining at this time any public procession, believing that such assemblies can be productive of no good, and that any real wrongs or grievances can be better and more satisfactorily rectified, without the danger attendant upon such public meetings at this time.

We have great confidence in our own people, but the gatherings referred to may attract from our sister city, persons who, baffled in their attempts at mischief, incendiarism, murder, and plunder, may visit us in such numbers as entirely to change the character and intent of the organizers of the proposed meeting.

We therefore request—*earnestly request*—that all good citizens, except those whose duty it is to preserve the peace, repair to their homes at an early hour every evening until the quiet, which at the second sober thought always follows these excitements, prevails in our midst.

"Mr. Fish then moved that the address be published in all the daily papers of Oakland, and that ten thousand copies of the same be struck off and distributed by the police authorities, which was adopted.

"Mr. Burnham, from the Committee appointed to confer with the Messrs. Redstone, announced that those gentlemen would confer with their Committee and give an answer to the Council in half an hour; if they decided to forego the meeting he did not see the necessity of issuing the address. Doctor Merritt here detailed the subject-matter of the Conference to the effect that the Messrs. Redstone would cheerfully comply with what was right.

"Mr. Miller considered that the address was opportune and should not be rescinded, which was concurred in by others who spoke on the subject.

"Mr. Sohst moved that the address be signed by the Mayor and Council, and attested by the City Clerk, and so published and issued, which was adopted.

"The following resolution was then presented and adopted:—

Resolved, That Dr. S. Merritt, L. G. Cole, A. C. Henry, J. M. Walker, George H. Wheaton, and J. F. Houghton, be and are hereby authorized to have enrolled upon a Committee of Safety, all good citizens of each ward to assist the City Authorities in preserving the peace and good name of our city.

"Mayor Pardee suggested that when the City Council adjourn they repair to the Union Club Rooms and enroll their names as members of the Union Protection Association.

"The Messrs. Redstone here entered the Council Room and J. H. Redstone, in behalf of the Committee, reported that the Committee of Workingmen had agreed not to hold a mass-meeting; but would have one one week from to-night to discuss the Coolie Question and its bearings, and desired the co-operation of the Council; they had been to some expense in postponing the mass-meeting, which he thought should be defrayed by the Council. Mr. Miller here interposed and stated the Council had no legal right to use its funds for that purpose. The meeting then adjourned."

On the 2d of August the Committee of Safety made a report to the City Council: let us see what they did towards a system of protection. They say: "Immediately upon receiving such authority (that conferred by the resolution quoted above we appointed a sub-committee of three in each ward to canvass and enroll for active duty the citizens of their several wards in such numbers as would insure the effectual suppression of any breach of the peace within our city. The result of this canvass was the enrollment of nine hundred and fifty-two names from among our best citizens, divided into seven separate organizations, one for each ward, each under the command of a captain, two lieutenants and other officers, all duly elected by their respective organizations and the whole placed under the command of Col. William C. Little, who was appointed by us the Executive Officer of the whole organization to act under orders of the City Authorities.

"The several companies have met at their respective headquarters every night since their organization for drill and instruction, and have attained a proficiency which will render them of great assistance to the authorities in case their services should be hereafter required; and, although the immediate cause which called it into existence seems to have passed and active drill and regular meetings will from this time be dispensed with, the organization will be kept up ready to respond to your call whenever occasion may require."

President Walter then stated that some expression should be given by the Council and thanks tendered to the community for their indefatigable exertions in maintaining order and preserving the peace of the city, and called upon his Honor, Mayor Pardee, who eloquently responded, alluding to the labors of the Committee, and concluded by thanking them and those who had enrolled to prevent insurrection and riot in the city. Mr. Miner next moved that the thanks of the Council be tendered to the Executive Committee of the Committee of Safety, which was unanimously adopted *viva voce*.

Consequent on the death of Police Judge Jayne, on July 27, 1877, the following preamble and resolutions were passed:—

WHEREAS, Through the interposition of Divine Providence we have suffered the loss of an excellent citizen, and the city of Oakland an honest and capable judicial, one who was ever foremost in the maintenance of the right, and the true vindication of the law, therefore be it



Phil J. Gerhards

Resolved, That in the death of the HON. A. H. JAYNE, Police Judge of the city of Oakland, this city has sustained an irreparable loss. He was free from the taint of corruption; a man whose character and reputation were both commendable and respected; a strict observer of the law in all respects, and dealing with evil-doers to the fullest extent, it can be said of him that he leaves behind a record spotless as a bright and shining example to those who desire to live uprightly and profit thereby.

Resolved, That this preamble and these resolutions be spread upon the minutes of the City Council and a copy of the same be transmitted to the relatives of deceased.

1878.—On May 6th an ordinance levying a Library Tax was passed, and on the 27th the Oakland Library Association and Union Reading-room Association handed over their property to the city, and on the same date Messrs. A. P. Flint, O. H. Burnham, W. W. Crane, Jr., G. M. Fisher, and J. P. Moore, were elected Trustees thereof; and, on June 3d, an ordinance calling for the numbering of public vehicles was passed; while on July 1st, an ordinance to establish and regulate a street market, was promulgated, and A. M. Church appointed Superintendent thereof. On August 5th a memorial was received from E. J. Kelly and others praying the City Council to abolish the collecting of licenses, and employ idle citizens to make bricks and construct the Main-lake Sewer; and, August 5th, the Golden Gate District Agricultural Fair Association was granted a lease for five years of Lafayette Square to erect buildings thereon.

On December 2, 1878, the Council ordered the sum of fifty dollars per month each to be paid to the Oakland Ladies' Relief Society and Orphans' Home, and Oakland Benevolent Society, such amounts to be paid out of the fines collected in the Police Court. On January 20, 1879, however, the Mayor vetoed the ordinance granting monthly stipends, which was sustained by the Council, but afterwards passed with certain modifications. It was again vetoed by the Mayor, but on the 3d February passed over his veto.

1879.—On January 6th, the names of West Twelfth, Twelfth, and East Twelfth Streets were changed so that the whole should in future be known as Central Avenue.

In his able and exhaustive message of the 3d of February of this year, in speaking of city finances, Mayor Andrus remarks:—

"The interest-bearing debt of the city amounts to six hundred and fifty-four thousand (\$654,000) dollars. Of this amount one hundred and seventy-three thousand (\$173,000) dollars are for the Main-lake Sewer, which will ultimately be refunded to the city, the Supreme Court having decided that such bonds must be paid by the owners of the property benefited by the improvement. This reduces the actual funded debt of the city to four hundred and eighty-one thousand (\$481,000) dollars, or one and seven-tenths ($1\frac{7}{10}$) of one per cent. on the amount of the city assessment-roll. There are certainly but very few American cities as large as this that can show as good a financial condition. To offset this debt of less than half a million dollars, the city is the owner of property valued at seven hundred and seventy-five thousand two hundred and twenty (\$775,220) dollars, consisting of City Hall, engine and school houses; so that Oakland is practically out of debt, according to the rules that any individual would apply to his own business. The condition of the city's General Expense Fund is not so flattering. On the 1st of January, the Treasurer reports that the bills payable from the general fund, and not paid for want of money, amounted to twenty-nine thousand four hundred and fifty-four and eighty one-hundredths (\$29,-

454.80) dollars. This is the floating debt of the city. Instead of beginning the year with all debts paid and cash enough to meet expenses for the next ten months, we commence with this deficit in one of its funds.

"The following statement shows the probable condition of the city finances next November, when the proceeds of the next tax levy will be realized:—

Cash on hand Jan. 1, 1879, less deficit in general fund.....	\$74,660 70
Receipts from Wharf Licenses, Police Court, etc., for 10 mo.....	47,000 00
Total available for 10 months.....	\$121,660 70
Ten-twelfths of last year's expenditures.....	401,203 91
Apparent deficit.....	\$279,543 21
Deduct extraordinary expenses.....	41,300 00
Estimated deficiency November 1, 1879.....	\$238,243 21

"I have based this estimate entirely upon various official reports, and I am confident that it is within the limit. There must be very close economy or the figures will be a good deal larger. This floating debt has been accumulating for a long time. For several years the rate of taxation was not high enough to give the needed revenue. There have been large expenditures incidental to the City Hall fire; many thousands of dollars were wasted in military demonstrations and needless preparations, at the time of the eastern riots in 1877; and the building of the roadway, to take the place of the Twelfth-street Bridge, has been one incessant drain upon the public treasury, having absorbed \$17,000 last year. These unusual expenditures are thus itemized:—

Hook and Ladder apparatus.....	\$ 4,000 00
Hose.....	2,000 00
City Hall Furniture.....	15,000 00
Dredging in front of City Wharf.....	3,369 50
Twelfth-street Roadway and Dam.....	17,004 00
Total.....	\$41,373 50

"But when these things are taken into account, the finances of the city will be found to be in a deranged condition. The practice of using the funds of one fiscal year to pay the debts of a previous year has been most pernicious. It has drawn away scrutiny from financial matters, and extravagance or carelessness became easy. About four years ago, bonds were issued to pay off just such a debt as we are rolling up now, and a fresh start was made, with money enough to meet all requirements. The several Councils that have had control ought to have kept the city in the same respectable financial position. If the floating debt is to go on accumulating, as it has been, we shall not long have occasion to boast of our freedom from a vast issue of bonds. The great depression in every branch of industry prevailing throughout the year, and continually growing more severe, could not help but affect, unfavorably, the city finances, and in many ways diminish the income of the treasury.

"The School Department should have limited its expenses to its probable revenue. Neither the Board of Education nor the City Council has the right to contract bills when there is no legal mode of raising money to meet them. No matter what possible results may have been predicted, the city officials should have laid their plans in strict accordance with the amount of money placed at their disposal. If, as may be claimed,

the Legislature has placed too many restrictions upon local authorities, relief should have been sought at the State capitol, not by disregarding what were intended to be safeguards.

"This deficiency must come, for the machinery of the City Government cannot be stopped. The pressure of public opinion and the dictates of common-sense require the Council to maintain the means of preserving the peace and security of the city, and the safety of the property of the people. The Council cannot now be expected to suspend the affairs of the city, as of a broken bank, nor do I know of any legal requirement that makes it necessary for them to do more than limit their contracts to what would have been under their control had the debts of previous years been paid.

"The amount is not enormous when the wealth of the city is considered, but there should have been a funding bill, or the power to levy an extra tax, a year ago, when these facts were almost as evident as they are now. It will be necessary to seek Legislative relief next winter."

In speaking of public property he says:—

"Annexed are reports showing the nature and value of real estate, buildings, and personal property belonging to the city. I summarize these statements as follows:—

School lots.....	\$125,500 00
School buildings.....	160,000 00
School furniture.....	30,000 00
Engine-house lots.....	7,600 00
Engine-houses.....	9,000 00
City Hall lot.....	250,000 00
City Hall and prison.....	30,000 00
City furniture, fixtures, etc.....	18,000 00
Library building.....	3,000 00
Other buildings on same lot.....	500 00
City Wharf and water front.....	75,000 00
Fire Department apparatus, etc.....	54,620 00
Telegraph and fire alarm.....	16,000 00
Total value of city property.....	\$779,220 00

"In addition, there are several public squares. If private property, and placed upon the market, they would probably bring half a million dollars. I think that the city has not duly considered the importance of retaining and ornamenting these grounds. They should be held sacred for the use of the people. As soon as the city is densely built, they will be regarded as priceless. The work of beautifying them should be commenced at once, and be carried on as unremittingly as the finances of the city may permit."

On public schools he observes:—

"Doubtless every citizen of Oakland feels a pride in our system of public schools which is here carried to an unusual degree of perfection. The annual report of Superintendent Campbell is a complete showing of the present condition of the schools, and facts and figures will give the answer to almost any question that can be possibly asked. I will not attempt a summary of its figures, but would direct careful attention to them. The connection between the School Department and the Mayor and Council is not close enough. Though required to pass upon appropriations, there are not

adequate means for coming to a correct judgment. The Department is a government within itself, and it might be managed very badly for some time before the Council could become aware of it. The repairing of buildings that are almost new; the repainting of the Cole School House, so soon after its erection, are facts which indicate carelessness, neglect, or dishonesty somewhere. I cannot specify or charge anything wrong, but I allude to these appearances for the purpose of stimulating inquiry by the proper parties. Education is the foundation of our social and political system. It is essential to the well-being and existence of our free republic, and by generously devoting to it a proper share of our resources, we perform a high and patriotic duty. The high regard we all have for works of patriotism, education, religion, or charity often leads us to overlook defects through the too common fallacy that criticism must be hostile. The professed friends of an institution may sometimes place it in greater peril than could result from the active opposition of its enemies. This thought is suggested by the scandals which now fill the air relative to the sale of examination questions. As yet, the reputations of those connected with the schools of Oakland have not been injured, and we should all feel gratified that our city has been free from exposures that have carried consternation to so many other places. Here is an instance where the friends of the schools have, in some respects, been causing them harm. Perhaps our own citizens have not been sufficiently close in the investigation of the financial affairs of the department. We all want the best educational facilities that can be obtained; but it is also expected that they shall cost no more than they are reasonably and properly worth. We can approximate to that by instituting comparisons with other cities where the schools are as nearly perfect as they can be made. The average cost per pupil for one year, including interest on permanent improvements, was \$45.33; without interest, it was \$29.82. This is less than in San Francisco, where expenditures are supposed to be on even a more liberal scale than in Oakland, but higher than in nearly all other cities in America. Pride in the schools should not blind the judgment. When there is a fixed sum placed at the disposal of our Board of Education, however, it is a wrong upon the community to exceed it. The officers are under the most solemn instructions that can be given to make use of just so much money to the best possible advantage, and all their plans must be shaped accordingly. If the present schedule of salaries cannot be maintained, stern necessity should compel revision. There should not be a continued adherence to any policy which is known to be too expensive for the funds that are available. I believe that the general management of the schools has been efficient, and that there has been competent and intelligent supervision."

In treating of the Police Department his remarks are to the following effect:—

"W. F. Fletcher, Captain of Police, has prepared a very complete report of the workings of his department during the year. The standing of the department has been improved, its discipline is better, and there seems to be no reasonable cause for complaint as to its efficiency. The statistics have already been submitted to your honorable body. The reputation of a Police Department has great effect upon the order and quietness of any city. It is cheaper and easier to prevent crime than to detect it. The knowledge that policemen are vigilant and intelligent, and are present in the places where required, exerts a powerful influence in

preventing the commission of crime. Temperate habits, cool and deliberate judgment, tact and shrewdness, combined with firmness and decision of character, are among the requirements of a police officer. Gentlemanly deportment, coupled with the ability to cope with unruly characters, are required. The number of arrests is not a test of efficiency, for that must, to a great extent, depend upon the respectability of the neighborhood in which an officer is stationed for duty. They should be chosen solely with reference to their fitness for the position. Appointments should not be a reward for political service, nor should they be conferred upon persons through considerations of family connection, or sympathy for those who may have failed in other pursuits. There should be a standard of health, age, and stature, to be applied to all new appointees. If unworthy men have been placed in positions, if there has been dishonesty, those who are guilty should be promptly removed; but their misdeeds should not be the occasion for the condemnation of men who are above such unworthy practices.

"There have been rumors that some of the laws governing the department have not been strictly enforced, but no definite charges have been brought to my attention. Thorough discipline is essential to efficiency, and the power of my office will be exerted to enforce it.

"Captain Fletcher recommends that the number of officers be increased from twenty-two to forty. I think that there should be, on an average, one policeman for each fifteen hundred of population, which would give us thirty men. This seems to be the ratio most commonly found in other cities. Every policeman should be, also, a detective. He should be charged with the investigation of crime occurring in his beat, which would increase his vigilance and be a stimulus to his ambition. It would develop the faculties of the men, and indicate those who, at the proper time, should be promoted to the highest department of police service.

"Tenure of office should be secure. Officers who have long been in service, and who have made honorable records, should not be harassed by the fear that they may at any time be displaced by men who have not shown any merits superior to their own.

"The Captain of Police calls attention to the necessity of enlarging the City Prison. The basement of the City Hall should be filled with cells, built of brick and iron, instead of building only two iron ones. It might cost about three thousand dollars. Prisoners could be kept separate; boys and petty offenders would not be brought into contact with hardened criminals, an evil which is of enormous proportions in most cities. The overcrowding of jails is a too common act of inhumanity. Such an enlargement of the present prison will suffice for a number of years; but the time will come when a separate building will become necessary.

"There are objections to the special police system, but it is difficult to see why there should be any opposition to giving police authority to private watchmen whom the people may desire to employ. It would be unwise to entirely abolish the system, but there must be great care and discrimination in regulating it, on account of the liability to abuse. I have no doubt that there are times when the influence of the special police counteracts the efforts of our regular officers in ferreting out crime, but such cases are the exceptions, not the rule."

He observes of the Fire Department, that most useful and efficient branch of the city government:—

"The Chief Engineer of the Fire Department has already submitted to you his annual report, which is a very complete and exhaustive document. He recommends the placing of hydrants in certain localities. It is the result of my observation that it is cheaper to erect hydrants near together than to buy hose; and that these sources of water for our engines should be so near to each other that in any possible case one reel of hose would be sufficient to reach the fire. In neighborhoods remote from engine-houses, it would be possible to extinguish incipient fires before the arrival of engines. Property-owners might procure hose of their own, to be used in such emergencies.

"The old Hook and Ladder apparatus in East Oakland would be of great use if a horse were purchased and a driver hired. The expense would not be much, and in a few minutes it might save thousands of dollars worth of property. East Oakland covers a large area; it has but one fire-engine, and it seems to me that it should have better means for extinguishing conflagrations.

"The house of Phoenix Engine Company, No. 1, is not fit for the purpose for which it is used, and, instead of being located on a side street, it should be on some one of our prominent thoroughfares, and I would suggest San Pablo Avenue. A commodious structure should be erected so that ordinarily decent quarters may be provided, not only for the firemen, but for the horses. This improvement ought to be made at once. In this connection, I desire to make a suggestion in reference to salaries paid to firemen. By comparison I find that they are forty per cent. lower in Oakland than in other cities on the Pacific Coast. In Oakland the engineers receive \$60 per month; in San Francisco, \$140; Sacramento and Virginia City, \$100; and the same disparity exists as to the other *employés*. I think that the pay of our firemen is too small. They have to be ready for duty at all times, and I do not think that the compensation is fair. I would suggest a remodeling of the schedule of salaries so that the men may be paid what their services are reasonably worth. The fire-alarm apparatus, etc., in Oakland is probably more complete than in any other city in the United States. This is a very broad statement, but is fully justified by the municipal reports that come from all quarters. The automatic system is most complete, and the planning and operation of the fire-alarm telegraph reflects great credit upon Mr. Carleton, the Superintendent. It has been erected at a cost that seems nominal when compared with what is expended for similar purposes elsewhere. The efficiency of the Fire Department is largely due to the promptness with which the alarms are given."

On the subject of public improvements Mayor Andrus says:—

"In the opening portion of my message I intimated the great value of having a system for our street grades and sewers. Large numbers of lateral sewers have been constructed, and Lake Merritt has been connected with the bay by a main sewer. To preserve the high level of water in the lake, the construction of a permanent dam was necessary, and some seventeen thousand dollars have been expended during the last year. The building of a roadway was incidental to this. For years public money has been expended upon this work, and the results do not promise to be commensurate with the expenditures. In attempting to do this work cheaply, there has been a

considerable waste of funds. Had this Council, in the beginning, projected an improvement that would have lasted for all time, it would have been the most economical course. Temporary work is rarely cheap or profitable.

"The City Hall has been rebuilt at a cost of about \$22,000. It affords ample accommodations for the various city offices and is creditable to the city. It has been appropriately furnished, and there are suitable safeguards against future conflagrations. A convenient office has been fitted up for the Mayor, and I may here observe that I have kept ordinary office hours except when called to other parts of the city by public business. The necessity for this has been made evident by the great number of persons who call to lodge information upon various matters of general interest, and also to ascertain points in which citizens are interested. I find that there is quite enough business to occupy the time of the Mayor for several hours each day in his office.

"The report of the City Engineer shows that there are thirty-eight miles of sewers in the streets of Oakland, excepting main lake sewer, which is two and one half miles long, and that there are fifty-one and one-half miles of macadamized streets. Last year the property-owners paid for sewers and grading and macadamizing \$254,140, which itemized, shows that twenty-four thousand feet of sewer-pipe was laid, or about four and one-half miles, costing \$24,140.

"The length of streets macadamized, thirty-six thousand feet, or seven miles, costing \$180,000; length of streets graded, forty thousand four hundred and forty-seven feet, or about eight miles, which cost \$50,000; all of which speaks well for our property-owners, who are so liberal to improve our city. There is a resolution of the Council against macadamizing streets until sewer, gas, and water pipes are laid. This rule ought to be adhered to most rigidly; the damage caused by tearing up improved streets is very great; and it is a burden which should not be imposed upon property-holders.

"Plans and specifications for the main creek sewer have been submitted to the City Council. The work, if done, will be under an Act of the Legislature passed April 3, 1876. The cost is to be assessed upon property according to area, and is to be paid when the work is completed. This cost is not likely to be less than \$300,000, and it is estimated that the charge upon a twenty-five foot lot will be something more than \$31.00. The sewer will be three and one-third miles long, and it is designed to carry into the bay of San Francisco the sewerage of the part of Oakland capable of being drained into it. At present this sewerage is taken away by the tidal flow of the San Antonio Creek. The necessity for building the sewer now may be questioned, but I do not propose to discuss the reasons that may be given for or against it. I think that the improvement should not be made under such a law as we now have. The work ought to be done in small sections, so that there can be full competition among the great body of contractors, and property-holders should not be expected to pay so heavy an amount at one time. It would be almost ruin to hundreds of people who own property that does not yield large rents. The lake sewer was paid for by the proceeds of the sale of bonds, though its cost is only a trifle over half of the estimated cost of the present work. Besides the contractors would have to be kept out of their money for a long time, as it would take many months to do

the work. They will be obliged to increase the amount of their bids so as to cover interest and contingencies. At the next session of the Legislature, there may be obtained a law more simple in its workings, and one which will provide for an easier mode of payment. If this work can be given out in sections, paid for as it progresses, the total cost will probably be less by forty or fifty thousand dollars, and the people can well afford to wait for a year to save that amount of money.

"There have been many complaints about the leakage from the main lake sewer at the bay end. I have examined into the matter, and am satisfied that the only remedy is to ceil it on the inside with tongue and groove lumber, covering the bottom and sides only. It would require about forty-two thousand feet of lumber, and, with the needed labor, would cost about \$2,100. The street might be filled in, which would cost about \$6,000. This would not, of course, prevent the leakage, but might counteract its effects. The health and comfort of a large community require that this should receive early attention.

"The Eighth-street Bridge has proven to be an important work. The streets connecting with it have been graded and macadamized, and a large amount of travel passes daily. It has exerted an appreciable effect upon real estate values."

In dealing with the Free Library his Honor states:—

"The Free Library is a new institution, and it is only becoming known that it is open to every resident of Oakland. The Secretary submits a report that shows the history and present condition of the library and reading-rooms. It will strike every one that the number of volumes is insignificant. Only four thousand books and a population of forty thousand people! There ought to be a large surplus over the amount needed for current expenses, to be used for the purchase of books. The Library is sadly deficient in works of a scientific nature, books pertaining to agriculture, and to mechanic arts. The Secretary does not report it, but it is understood that seventy or eighty per cent of the circulation consists of works of fiction. As the collection becomes more comprehensive, this proportion will be reduced. There has been much complaint because tax-payers who live beyond the city limits are not allowed to draw books. It is but common justice that this rule should be reversed. I cannot too strongly commend the idea upon which our Library is based. The diffusion of intelligence among the people is an object of the highest importance. The benefits of free books and periodicals cannot be estimated in money. The city is wise in giving encouragement to the project, and if the management is discreet and economical, their institution will, in a few years, be Oakland's pride. Appropriations have been liberal, and we have the right to anticipate a grand success and to be an exemplar for other cities."

He treats of the all-absorbing topic of the Chinese population as follows:—

"No greater calamity ever befell the property-holders of San Francisco than the locating of the Chinese quarters in the very heart of the city. The district inhabited by Asiatics has been steadily increasing its boundaries, and a blight has fallen upon real estate, in what might have been a center of business. It is time that the authorities of this city should take proper precautions, if possible, to prevent such a misfortune from occurring here. If the measures pending in Congress become enacted into laws, there will be a cessation of Chinese emigration; but our past experience leads us



Karl Klein

to be slow in building up expectations of this kind. We should proceed as if we knew that the Chinese were to continue coming, and do what we can to mitigate the evils that are threatening. The Council has the power to regulate such trades or occupations as may be nuisances, and under its general police powers, it could regulate the location of laundries or wash-houses. In some neighborhoods they are nuisances, while in others the people have no objection to them. It has often happened that one of these establishments would be started in quiet neighborhoods, given up to residence purposes, which would seriously detract from the value of surrounding property. One individual should not have it in his power to depreciate the value of the real estate of others. The consent of at least a majority of the persons owning property in a block ought to be obtained before a license should be given for carrying on a laundry. I believe that the Council has the undoubted right to do this. It concerns the welfare of real estate owners, and would be a very great protection. As the wash-houses here are centers from which Chinese quarters are likely to extend, such a regulation as proposed would drive the Mongolian population to portions of the city where their presence would not depreciate the value of property. As a strictly sanitary regulation, all prisoners in the City Jail undergoing sentences should have their hair cut short. It is a rule dictated by constitutions of cleanliness, and one that has been enforced in many American prisons from time out of mind. It should not be violated through any plea of religion or superstition. Its result might be the payment of fines by Chinese criminals, which is preferable to keeping them at public cost, and would be regarded by them as a more severe punishment. The presence of these people is in every way undesirable, and should be discouraged by every legal method, direct or indirect. Our own citizens cannot compete with them as laborers, because people who are American citizens are usually burdened with the responsibility of providing for a wife and children, while the Chinese are not. Not only the more humble laborers, but the whole body of mechanics are threatened with pauperization. The fears of most of the capitalists are becoming aroused, because they see that the life and energy of the country depend upon the prosperity of the masses, who must meet the wants and gratify some of the tastes of civilized life. The hordes of Asiatics have not these wants and tastes. They are an incubus upon our development, and the public opinion of the nation is fast recognizing this fact.

"The pure air ordinance, it is believed, is not enforced in many cases to which it is intended to apply. The law is a good one, whether applied to Chinese or to white men, and I hope that greater attention will be given to it. The Chinese, it is notorious, are almost the only offenders, Caucasians not needing such law to compel them to observe one of the fundamental rules of health."

Of affairs on the water front he speaks in the following strain:—

"The City Wharfinger has submitted a report showing the amount of business transacted since it was built, in 1873. The steady increase in the amount of business is noteworthy as, lately, there have been built other wharves at which equally large quantities of merchandise are landed. The city wharf was first used in August, 1873, and its gross earnings have been \$47,944.67. Its cost was \$20,000. The losses have aggregated only \$270.20 for the entire period. A credit of thirty days is authorized, and certainly this number of bad bills has been astonishingly small. During the last

year, a deep channel was dredged around it in response to a petition by merchants, fortified by the action of the Merchants' Exchange. Any ship that can cross the bar can now lay at the wharf without grounding during low tide. The rates of wharfage and dockage have been reduced, but are not yet on a level with those in San Francisco. The charges for large vessels are about the same, the reduction effecting principally the small crafts. I do not think that harbor charges in Oakland should be greater than in San Francisco, for it is proverbial that the course of commerce may be changed by the scale of port charges.

"The city has power to regulate the anchorage of vessels and other matters, and I think that our local commerce is extensive enough to warrant the Council in taking some action in this matter. It need entail no extra expense, and would lessen the danger of collision and damage to public and private property. It might be proper to confer upon the Wharfinger the powers usually exercised by a Harbor Master.

"The improvement of the Oakland Harbor is a subject of paramount importance to our city. Officially, the Mayor has no connection with this matter, and possesses no information which is not common to the people. It is a matter of deep regret that parties owning the tide lands have not come to an agreement with the United States Government and executed an abandonment of the property needed. I believe that an adjustment of the controversy is near at hand, and that the city will suffer no longer from the delay. If it be not settled, the contest must be taken by the Government to the courts, and there would be long and vexatious delays. The value of the work already accomplished is very great, as ships of twelve and fifteen hundred tons now come into the harbor, saving the cost of rehandling freight in the bay. It will be a great step in advance when ships can be laden with wheat in the estuary, and will give a powerful impulse to the development of home business. This portion of the city fixes it as the railway terminus of the Pacific Coast, and it must, ultimately, have a large share of the general commerce of the State. Wonderful advances have been made and still greater changes are sure to come. We do not expect to take anything from the prosperity of San Francisco, but we do have faith in the future of Oakland as a place of equal importance with the present metropolis. The aid of the Government is invaluable, and whenever it may suggest any practical measure to the Council to help along the project, it will be most heartily seconded. An imperfect knowledge of the plans of action, necessarily withheld by the Chief of Engineers, renders it impossible to make more extended reference to what is our most important interest."

Mr. Andrus then winds up his message with the following very apposite remarks on retrenchment, public economy, and concludes with a laudatory peroration on the Workingmen's Party of which he was the choice for the high office of Mayor of the city of Oakland.

"There is no patent remedy for municipal extravagances. There is not any one measure that will produce such a change as may be needed. Every officer, in all departments, must devote his attention to the smallest details, and see where it is possible to retrench. There can be some retrenchment in the Police Department. The salaries received by officers exceed those paid to mechanics or men in quite responsible clerical pursuits. I have already expressed my opinion of the high standard that should be required, but it is no higher than is expected of a master mechanic or the

leading book-keeper in a mercantile house. Unlike a mechanic the pay is continuous; sick or well, it goes on, and very properly. In most of the Eastern cities, the cost of living is much higher, while the pay of officers will not average more than one thousand dollars per annum. I do not see the necessity for two detectives, always dressed in citizens' clothes. The designation of officers as Sergeants, etc., necessarily takes some from the number of active policemen, but there is not enough crime committed, or possible of detection, to require the services of two men continuously. There might be greater economy in procuring supplies for the Fire Department and a closer system of checks in making repairs. I am of this opinion because of the rather large reported expenditures for this purpose and not specifically accounted for. A few years ago, a Council proceeded systematically to investigate every city office, and as a result of its work, minor changes were made, which saved many thousands of dollars in the current expense account. It seems to be a proper time to have another such overhauling. The importance of a low rate of taxation, a light debt, and a reputation for careful municipal management, are powerful influences in determining real estate values. If there were recklessness in incurring debt it would deter thousands of people from taking up residences in our city. The growth and prosperity of Oakland cannot be promoted more effectively than by maintaining a cheap government and conducting its affairs upon a sound basis.

"When the Workingmen of Oakland elected their candidate for Mayor, there were many reckless and unfair statements, to the effect that property would decline in value; that communism would prevail, and woes unutterable overtake our fair and prosperous city. The false statements made as to the objects and aims of the party, may have induced some to believe these sweeping assertions; but their incorrectness has long since been shown. The Workingmen have wanted nothing but exact and equal justice in the administration of public affairs. They want to protect their own homes from the needless burdens of taxation, and to make it easier for those who are fighting the battle of life to obtain homes for themselves. Honest men have nothing to fear from the success of this party. Its mission is to protect and save; not to tear down and destroy. It is to prevent legislation that gives privileges to the few at the expense of the many; to prevent public robbery under any and every name. It is also devoted to the prevention of Chinese immigration and the freeing of the country from the presence of a class of people who are paralyzing our industries and driving our laboring classes to the verge of want. Faith in it by the masses is shown in this city by its progress last year. The number of houses erected, and their value, is but a trifle less than during our most prosperous year, yet the season has been one of unprecedented financial stringency. The people have long ago learned that the cries of communism, and many other isms, are false alarms raised to prevent the success of great reforms. The discourteous treatment at first shown to officials selected by this party has almost disappeared. It is recognized as having great and important objects, which will promote the welfare of the whole people, and will remain in power as long as it is faithful to its high and important duties.

"The effect upon national legislation is becoming evident. Public men and public journals no longer favor the presence of Chinese. It is admitted now that the considerations of the loftiest statesmanship require restrictions to be placed upon their

coming. So gratifying a result is due wholly to the uprising of the masses in this State, their success at the ballot-box, their determination to rely no longer upon promises by politicians of the older parties. As a successful candidate of that party, I have done the very best I could to fulfill the duties of my office properly. Others who have held the office have been conspicuous for their learning, their attainments in the professions, their wealth, or high influences. I have had none of the advantages that may come from such sources, and if I have at any time erred, I hope that critics will not be harsh in their censure. I have given my strictest personal attention to all questions upon which I have the right to act, and in some cases I have come in conflict with the City Council. It is natural that men of different political parties should think differently upon public questions, and, in the interposition of vetoes, I have been governed by my own sense of what was right or politic. I can forget the little acts of unpleasantness that might be recalled, and endeavor to remember only the pleasant things of my official term. I feel that a more thorough acquaintance of the Councilmen with the Workingmen's Mayor has by degrees increased their regard, and dispelled some of the unpleasant anticipations that may have been formed.

"If the city of Oakland comes under the government of men of this party, some of the errors of the past will not be repeated. There will be a substantial promise and an economical administration. Tax-payers will feel that their burdens are as light as possible, and that their money is applied with care, fidelity, and honesty. The name and fame of Oakland will increase in brightness with another political victory. Its reputation for good government, for safety of life and property; its success in the race for municipal renown, will be promoted if its destinies are committed to the Workingmen's Party."

On August 10, 1879, an ordinance releasing to the United States certain portions of the water front of the city of Oakland was passed.

Perhaps the most noteworthy event of the year was the visit to Oakland of General Grant, the hero of the War of the Rebellion, and twice President of the United States. Every city, town, village, and hamlet that he visited were unanimously demonstrative in their efforts to do him honor; and the citizens of Oakland were not behindhand in the heartiness of their welcome to him, after a "royal progress" around the world. It was a spontaneous greeting to his native shores, from a people who acknowledged all that he had done towards keeping the integrity and honor of the nation.

At a meeting of the City Council held on the 15th September, the following preambles and resolutions were passed, showing the steps intended to be taken by the authorities on his arrival on this side of San Francisco Bay:—

WHEREAS, Information has reached the City Council that his Excellency Ulysses S. Grant, ex-President of the United States, is on his way from Japan, and will probably arrive in the city of San Francisco within a few days, and that it is his intention to remain in California some time before proceeding to his home; and

WHEREAS, The people of this city, as well as those of the State of California and of the whole country, without regard to party or section, profoundly esteem his many distinguished services as soldier, statesman, and private citizen.

NOW, THEREFORE, The Mayor and City Council of the city of Oakland do hereby, in behalf of the citizens of said city, and of the municipal government thereof, tender and present to General Grant the freedom of the city of Oakland, and request that he will visit the same at such time as he may name for that purpose; and

WHEREAS, At a public meeting of citizens held in this city, to take preliminary action to tender to General Grant a public reception, a committee was appointed by that body, consisting of nine persons; therefore

Resolved, That the Mayor and members of this Council will coöperate with said committee of citizens in making necessary arrangements for the purpose above indicated.

Resolved, That upon receiving telegraphic notice of the signaling of the steamship *City of Tokio* off the "Heads," the Mayor be requested to cause the American Flag to be hoisted on the City Hall, and the Superintendent of Fire Alarm be and he is hereby authorized and directed to cause the fire-alarm bell to be sounded for five consecutive minutes, to give notice of the return to his country of America's most distinguished citizen.

The President of the Council then appointed Messrs. Babcock, Hewes, and Cole a committee to coöperate with the committee of citizens, to act as a business committee for the purpose of carrying into effect any arrangements which may be made in relation to the proposed visit.

As we have said, the reception tendered to the famous General by Oakland and her citizens was a perfect ovation. So soon as he touched the soil of Alameda County, he was met by Mayor Andrus and the City Council of Oakland, when his Honor, stepping forward, said:—

GENERAL GRANT: Your merited ovations have encircled the world. They have been as grand and as varied as the nations who have offered them. And, yet, among them all, there has not been a more earnest, sincere, and cordial welcome than that which the city of Oakland now extends to you. This is preëminently a city of homes and of families; of husbands and of wives; of parents and of children; of churches and of schools. There is no earthly tie more sacred and lasting than that of the family. At the family altar the fires of liberty, are first enkindled, and there patriotism is born. The love of home, of kindred, and of country, is one. This is the source and the fountain of our welcome to you, the defender of our country, our firesides, and our families. I am authorized to further present to you this official expression of good-will from our city authorities.

The freedom of the city, with the resolutions quoted above, were then tendered to and accepted by General Grant, who thereupon grasped the hand of the Mayor, and gave expression to the following characteristic speech:—

MR. MAYOR: I thank you.

At a meeting of the Board of Supervisors held December 8, 1879, the District Attorney presented a written opinion that the Board had no power to grant the right of way over the Webster-street Bridge, arguing that the Board can only act within its delegated powers; that the bridge is a public highway; and that the Board holds the bridge in trust to maintain, repair, and renew the same in the manner provided originally to be done by the town of Alameda and the city of Oakland. It was a question whether the Supervisors had any right vested in them, specially, to grant such a privilege. It was asserted that, by statute, any steam railroad has the right to run upon, along, and across any navigable stream, watercourse, street, avenue, and highway, without asking for such privilege from the Supervisors, although any person or corporation might not attempt to exercise such a right without making a respectful request to the Supervisors. At the instance of Theodore Meetz, the President of the Alameda and Oakland Horse Railroad, Judge Daingerfield, of the Twelfth District Court, in and for the city and county of San Francisco, granted a temporary injunction, commanding the Supervisors of Alameda County to desist from granting any franchise to A. E. Davis (President of the South Pacific Coast Railroad Company) or anybody else, to use Webster-street Bridge for railroad purposes.

It will thus be seen that there were a few persons making extraordinary efforts to head off the narrow-gauge railroad from entering the city. It may be remembered that Mr. Meetz enjoyed, and still enjoys, a portion of the bridge for his horse rail-

road, and it is not forgotten, perhaps, how his rails were laid over the bridge between a Saturday night and a Monday morning, while it can be readily understood that a question would arise naturally enough in Mr. Meetz' mind as to the probable effect the construction of the narrow-gauge railroad into Oakland would have upon the profits of his line. But that benefit would undoubtedly result was certain, for it was absolutely necessary that means of communication with the northern portion of the city should be opened. To this end the right was ultimately very properly granted, and after considerable opposition, power was given to lay their track along Webster Street, March 6, 1880, after a very stormy discussion.

1880.—On January 5th, a resolution indorsing the new charter was passed. This document was a tolerably faithful copy of the existing laws, as far as they did not conflict with the new Constitution. The portions which related to street work were radically changed. It abolished the office of City Marshal and substituted a Tax-Collector and a Superintendent of Streets. It required the funds for a year to be divided into four equal parts, while many other changes were made calculated to facilitate the working of the various departments of the city government. On February 2, 1880, an ordinance repealing certain other ordinances passed by the Trustees of the town of Oakland was passed. There were: 1st. "An Ordinance for the disposal of the Water Front belonging to the Town of Oakland," passed finally, May 18, 1852; 2d. "An Ordinance to approve the Wharf at the foot of Main Street, and to extend the time for constructing the other Wharves," passed December 30, 1852; 3d. "An Ordinance concerning Wharves and the Water Front" passed August 27, 1853.

In his message of February 2, 1880, Mayor Andrus remarks on the city's railroad policy in the following terms:—

"The last year has been characterized by an unusual activity in railroad enterprises, and there is a prospect that at no distant day the Southern Road, projected by Boston capitalists, will connect the Atlantic and Pacific coasts. A railway company which already has extensive connections is asking for admission to our city. We should cherish the hope that in due time an independent transcontinental railroad would seek Oakland as its western terminus. The great prosperity that has resulted from the location of the terminus of the Central Pacific in this city, is a proper guide for estimating the benefits that may follow the construction of other railroads. The city must have open gates for all railway companies that are willing and able to extend to us their lines. The interests of the city will be best promoted by the location of depots and stations in a central part, and it is a proper time now for the Council to outline a railroad policy that will serve in future contingencies. The Central Pacific extends through the city from east to west. It is proposed that another road shall pass through the city from north to south. Such seems to be a necessity that results from our geographical situation. Whenever the property-holders who are immediately concerned give their consent to the use of a street, it will doubtless be designated as a thoroughfare for the railway that will connect us with a part of the State which has not heretofore been tributary. It will double our ferry facilities, and thus greatly increase the desirability of Oakland as a place of residence for persons whose business is in San Francisco. It will give to Oakland merchants the trade and

traffic of an extensive territory not otherwise reached by rail. It is of prime importance to the people of Oakland that some strong corporation should have an apparent and powerful interest in the improvement of the Oakland harbor. A railway company whose road terminates at docks inside of the estuary could not fail to be a powerful ally of the city in securing from the Federal Government the aid that is needed for the improvement of navigation. It is presumed that the influence of one corporation has checked the progress of this work. It will be fortunate if more corporations of equal strength are just as much interested in having the work carried on. It should be the policy of Oakland to extend a welcome to any railroad corporation that wishes to gain an entrance into the city. It is not enough that we are connected with one system of California roads; we should have connections with others that now exist, or which may hereafter be built. The property rights of every citizen should be most thoroughly guarded, but care should be taken that the plea for property rights is not an argument in a disguised form for the prevention of railway competition. Any applications for franchises should be viewed in a liberal and far-seeing way. It should never be a matter of doubt abroad whether the people of Oakland will permit the extension of another railroad into their city. It should be heralded far and wide that our citizens realize that they occupy the terminal city, as designated by mountain chains, rivers, and arms of the ocean, and are opening wide doors to all who can bring business and prosperity."

He also says of the water-front suits:—

"Early in the history of the city the entire water front was conveyed to private parties for a consideration that seems frivolous, and it has been the prevailing opinion that the transaction was illegal, and probably fraudulent. In the year 1868 there was a compromise by which the title was conveyed to the Water Front Company, as far as it was in the power of the Council to make such a transfer. The city obtained nothing from the compromise, except the small area of overflowed land now occupied by the city wharf. Subsequently Congress authorized various appropriations for the improvement of the Oakland harbor, and considerable sums of money have been expended, so that vessels having a thousand tons of freight can now be brought to our wharves. The last Congressional appropriation was coupled with the condition that it should not be used unless the claimants to the bed of the estuary and the water frontage, on which the training-walls are constructed, should abandon whatever title they may have asserted to that property. The United States engineer's lines were located so that the harbor would come up to the demands of an extensive commerce, and be accessible from many points on the mainland without passing over any intervening strip of private property. The Water Front Company has not abandoned its claim to the arm of the Bay which is included within the Government lines, and in consequence there has been no further expenditure of money to carry on the improvement. This refusal on the part of the Water Front Company has brought the whole question very prominently before the people of this city. The work that was thus summarily checked was universally regarded as of prime importance to Oakland, and its completion as an event that would bring with it a new era of commercial prosperity. The legality of the private claims that had been asserted with such damaging effect was disputed, much legal authority concurring in the opinion that the title to

the whole water front still remains in the city. The right to fix and collect dockage and tolls is considered to be one of the attributes of government which cannot be alienated. If the Water Front Company's ownership of the bed of the estuary could be disproved, there would be nothing to prevent the Federal Government from resuming work, and many citizens advised the commencing of suits to that end. In the mean time the Central Pacific Railroad Company, and one of its Directors, individually, brought suits against the city to quiet the title to certain property held under conveyances from the Water Front Company, Carpentier, and other claimants. If a default were permitted in these cases, it would cut off any hope of relief to the city, and your honorable body determined to retain counsel and thoroughly test the rights of the city. I have approved the ordinances which were necessary for the proper commencement of proceedings.

"The great object which I hope to see accomplished is the defeat of all private claims of ownership to property needed for the construction of the harbor. If these claims can be declared void, Oakland will become an open port. No man or corporation can have a monopoly of water-front privileges, with the power to take what toll they may choose from every person or pound of merchandise coming into or going from the city. I cannot believe that it is possible for individuals to become legally possessed of the title to an arm of the bay navigable for large vessels. The recognition of such a right would place the fortunes of the city entirely at the mercy of a few men, which could not fail to be perilous in the extreme. There must be free access to the city for all the shipping that may seek our port, and easy facilities for all ferry companies that may seek for business. The benefits to them and to the people of Oakland will be mutual. It is unfortunate that this city must wait the tedious routine of litigation before it will be in her power to adopt a liberal commercial policy. But nothing will be accomplished until the rights of the public and of the water-front claimants are definitely settled by the decree of a court of competent jurisdiction. It is to be regretted that there should ever have been the shadow of a private claim to what is really a part of the Pacific Ocean. It has brought into controversy other matters that would have remained undisturbed, had such a course been possible. The one thing that is desired, and for which the people of Oakland will contend with all their energy, is the prosecution and completion of the public work which has been planned by the engineers according to their original designs. I do not believe that it is for the public welfare to molest the Central Pacific Railroad Company in the use and enjoyment of the property it needs for its terminal improvements. That is not the aim and object of the present litigation, as I understand it. Oakland seeks for no controversy with that company, nor does she desire to do it any injury or harm; but it is only a measure of self-defense to contend for the free navigation of the estuary and for unrestricted communication between the mainland and the harbor for freight and passengers. The only regulations that should ever be enacted, or the only charges that should ever be imposed, should be such as ordained by the city government. Prolonged litigation should be avoided if possible. If the concessions demanded by the United States Government were allowed by the claimants to the water front, with a fair compliance with what is demanded in the public interest, I do not think that there is a person in Oakland who would desire the continuation of suits that involve the



Resp. Yours.
H. L. Adams.

title to property used and needed for railroad improvements. The real cause of the present controversy is the claim of private ownership in the estuary, and whenever that may be abandoned I should hope for the termination of litigation."

And of the Chinese Question, that problem so difficult of solution, he says:—

"The almost unanimous vote of the people against Chinese immigration has had a moral effect abroad far greater than the speeches of our representatives in Congress, the platforms of our political parties, or the utterances of the press.

"The idea that only the laboring classes in this State were opposed to the further coming of Asiatics has been dispelled. The humble toilers have long since ceased to be the only ones who suffered by an unnatural competition between civilization and barbarism. Unfortunately there were many who remained indifferent as long as the presence of Chinese only caused privation and hardship to those who earn their subsistence by toil, but when the value of rentals, the rate of interest, the worth of real estate, the profits of professional men, and the earnings of the merchant became affected, everybody united in an appeal for relief. Modern civilization has never before had to contend with such an element, and for that reason there has been but little sympathy for us in this remote part of the Union. The changes in Eastern sentiment are now quite perceptible.

"The masses are becoming aware that the many arguments made thus on high moral and religious grounds, were prompted by grasping and greedy men, who thought that they saw in Chinese immigration the means of still further reducing the wages of labor.

"The intelligence and the religious sentiments of the people of California are as general and as advanced as prevail in any other community in America, and a protest has been uttered that has been heard throughout the nation,

"It is reported that negotiations have for some time been conducted with the Chinese Empire to secure a modification of the Burlingame Treaty, so that it shall become strictly commercial. But it is the evident policy of China to send away its surplus subjects, and in that manner put an end to a famine that has prevailed in that overcrowded country ever since its history has been known to us. The prospect of any relief from that source is very slight. Legislation by Congress can keep on, and in the absence of that, there is considerable that we may do to help ourselves. Our Legislature might follow the example of some of the British Colonies similarly afflicted, and impose heavy licenses on aliens incapable of becoming citizens, as an offset to the charges that must be borne by the public for the support of the Chinese paupers and criminals.

"Great benefit will result from the passage of a law prohibiting the issuance of a business license to aliens of this class. It should also be provided that any citizen who wishes to employ these aliens should procure a license for doing so. Goods manufactured in this State should bear a stamp indicating whether or not Chinese labor had been used. This would enable the public to carry out their desire to employ only the labor of people who may legally become citizens. Of course the use of a false label should be severely punished.

"The City Council, by its authority to enact sanitary regulations, and by its power over the municipal license system, is in a position to do much for the people

in this matter. Under existing laws it can suppress many places maintained by Chinese, because they are actual nuisances. The buildings occupied by many of them, in the central part of the city, are reeking with filth, and vile odors permeate the air in their immediate neighborhood, depreciating the value of property. If laundries were allowed only in some designated part of the city, it would be a great benefit to many localities that are now undesirable.

"Another nuisance is the presence of Chinese with their baskets on the sidewalks of crowded thoroughfares. This should be stopped, for it would be just as proper to allow the sidewalks to be used by hand-carts or drays.

"I do not suggest these things through a desire to persecute these people, nor to subject them to any grievance, but because they will not stop coming here until they see that the general spirit of our law is against them. They will continue to immigrate here as long as they can enter into full and free competition with Americans, but the influx of Asiatics will cease when it is a certainty that our people are doing everything in their power to keep them away.

"We have protection for our commercial interests. It has been the traditional policy of Congress to maintain a high protective tariff to shut off goods manufactured by pauper labor elsewhere. There are still stronger reasons for preventing the landing of men who are paupers, who can never become citizens, and whose presence defeats the whole aim and object of the protective system that has been established for the benefit of American industries."

It will be remembered that California was honored by a visit from Rutherford B. Hayes, President of the United States, and though his reception was not characterized by the demonstrative joy with which General Grant was received, still Mr. Hayes was cordially welcomed with the patriotism which the traditions of his office demanded. On the 6th September, the City Council passed the following preamble and resolution in this regard:—

WHEREAS, The people of the State of California are upon the eve of celebrating the thirtieth anniversary of its birth into the American Union, and

WHEREAS, The citizens of Oakland have manifested their intention to celebrate the day in a manner worthy of an event so grand as the coming of a new and bright star into the constellation of States, and that will bear witness of their profound satisfaction at the proud eminence their young State has won, of their confidence in the brighter future which lies open before its boundless natural resources, and its vigorous and patriotic citizens, and of their reverent gratitude to the Divine Ruler of the Universe, whose beneficent grace has showered unnumbered blessings over mountain and valley, from the sierras to the sea; and

WHEREAS, Our people are about to be honored by a visit from his Excellency, the President of the United States—the first time in the history of the State, that a Chief Executive of the nation has crossed its boundaries; and

WHEREAS, His Excellency has kindly consented to visit our city and participate in the festivities in commemoration of our natal day, and we are desirous of showing in a fitting manner our regard for him as a man and our respect for the high office which he holds; now therefore

Resolved, That the people of the city of Oakland, through its Mayor and Council, tender to his Excellency, the President, the hospitalities and freedom of the city.

1881.—The first item to notice is the passing of the following resolutions on the death of Hon. J. W. Dwinelle:—

WHEREAS, It hath pleased Divine Providence to remove from our midst one whose influence and deeds have ever been given to the advancement of the material interests of Alameda County, and prominent in the establish-

ment of our State University, the boast and pride of this city, and as an ex-Mayor of Oakland, it is befitting that the Council should take some action and pay a proper tribute to the memory of HON. JOHN W. DWINELLE; therefore be it

Resolved, That this Council will attend his obsequies in a body, and it is ordered that the Council Chamber be draped in mourning for thirty days; and be it further

Resolved, That a certified copy of this preamble and resolutions be transmitted to the family of the deceased, and be under the seal of the city spread upon the minutes by the City Clerk.

Like in every cluster of houses throughout the Union, in the city of Oakland the grief that marked the death of General Garfield was intense. It partook of deep sorrow, more like the mourning for a lost relative than for the untimely death of the Chief Executive of a great nation. For a month the prominent buildings and many private establishments were draped with the insignia of woe, while the fervor of sorrow was intense. On September 20th the following resolutions were unanimously adopted by a standing vote of the City Council:—

WHEREAS, In the midst of our deliberations, while seeking in our own small sphere to do for the public welfare, at a time when, though deeply and anxiously solicitous for the ultimate, complete, and entire recovery of the victim of the assassin's bullet, the man who was the pride and glory of the nation, the man of all men best fitted by his spotless public and private character, his experience, his ability, learning, and wisdom, and his unswerving devotion to the best interests of our whole country, and by the confidence reposed in him by the people of all classes and of every political complexion throughout the length and breadth of the land, to fill with honor and glory to himself and the American people, that office, than which there is nor has been no greater or nobler in the history of nations at a time, after months of anxiety and suspense, we yet cherished a hope and a faith—almost hoping against hope—that the Divine Ruler of the universe, He who marks the sparrow's fall, would finally restore to us the man on whose life or death depended more than in all the history of the world ever depended on the life of one man—midst hoping and fearing, lightning has borne to us the crushing and disheartening message, "President Garfield is dead;" and

WHEREAS, We realize in the death of JAMES A. GARFIELD, the late President of the United States, not only we, but our country and the whole world, have lost that which cannot be replaced, we have lost, than which there is no nobler work of God—a man without fear and without reproach, a man whose interest and desire was the good of our entire people, a man who knew what was the best and right to be done, and who dared to do what he believed to be right and just, to all men and before all men—a man who was at all times and in all places the brave, true, and untiring friend of his brother man, and the devoted servant of his country; now, therefore, by the Council of the city of Oakland, be it

Resolved, That we feel most deeply and sincerely the loss to the people of the United States in the death of our late President; that we believe that James A. Garfield, had he lived, with his ability, his opportunity, and his disposition, would have continued to be the grandest and brightest figure in the history of mankind, and that in his death, our people, and the people of all nations of the earth have lost a friend than whom no better or more powerful friend of mankind has been in the past, or will be for generations yet to come; and be it further

Resolved, That for the people of our city we most earnestly and sincerely present our heartfelt sympathy and condolence to the bereaved widow, the fatherless children, and aged and stricken mother of our President. We fully realize that tho' our heart-strings may be sorely wrung by the loss of him who was our protector, as he was the friend and protector of our whole country and the friend of every man on the face of the earth—yet the loss of the widow and fatherless and that aged mother is greater than ours—we lose a friend and protector and they a kind and loving husband and father and a devoted son, and in their bereavement we ask the widow, the orphans, and the noble mother to remember, as a slight solace in their deep affliction, that tho' he has gone in the full flush of manhood, just when arm and mind were strongest; just when the eyes of all the world were turned upon him; he died in the service of mankind, he died in harness, died after the grandest and most prolonged struggle for life ever made by mortal man, a struggle made not through fear of death—for he feared it not, nor thro' any love of life for its own sake—for he cared not for himself. Through all those gloomy months of pain and suffering he struggled to live as he has ever struggled to live, for his mother, for his wife, for his children, and for his country; and be it further

Resolved, That as the only token of public respect in our power is manifest, we recommend our citizens to drape their residences and places of business in mourning for a period of thirty days; that all public business shall be

suspended on the day appointed for the President's funeral, and that public worship be held in all the churches on Sunday, September 25th, when the people may assemble to mourn our loss, and pray for the safety of the Republic; and be it

Resolved, That these resolutions be spread upon the minutes of the Council.

1882-83.—During the year 1882 there was nothing of any especial moment occurred that need find a place in this work, but the 12th of March, 1883, saw the election of a Democratic Mayor in the person of J. West Martin, who, with the City Council, inaugurated a system of retrenchment by dismissing some subordinates in the several departments, and reducing the salaries of the remainder. The efficient Captain of Police is abolished for the nonce and an acting Captain installed, while, as a move to further economy, the streets are but half lighted by gas.

It may be mentioned, though not belonging properly to the city of Oakland, that Maro P. Kay, a former deputy and trusted officer of the County Treasurer, was sentenced May 22, 1883, to fourteen years imprisonment in the State Prison for the crime of forgery and embezzlement of the public funds.

The Oakland of to-day is one of the most beautiful cities in the world. It is a credit to all concerned in guiding it to its present position, while the day is not far distant when it will add the importance of a great manufacturing and commercial center to its already numerous attractions.

TABLE

Showing the Officers of the Town of Oakland and the City of Oakland, Compiled from the Records of the Board of Trustees and City Council, from 1852 to 1883, Inclusive.

NAME OF OFFICE.	1852-53.		1853-54.		1854-55.	
	NAME OF HOLDER.	DATE.	NAME OF HOLDER.	DATE.	NAME OF HOLDER.	DATE.
Board of Trustees...	(Amedée Marier. May 12, '52 A. W. Burrell. Edson Adams Andrew Moon..... Alpheus Staples.....		(Amedée Marier. May 9, '53 A. W. Burrell. Edson Adams Andrew Moon..... Alpheus Staples.....			
Mayor.....					H. W. Carpentier .. Ap. 17, '54 E. Gallagher. G. M. Blake. A. D. Eames. John Kelsey. W. C. Josselyn. A. Marier. J. R. Dungleison. John Scott. John Hogan. John Hogan. J. E. Whitcher. Oct. 28, '54 S. Tubbs. Ap. 17, '54 John Scott. May 27, '54 Rev. H. Durant. Jas. Lentell. Aug. 5, '54 C. T. Jacobus.	
City Council.....						
Town and City Clerk...	F. K. Shattuck. May 17, '52		A. S. Hurlburt May 16, '53			
Treasurer.....			Wm. B. Russell May 9, '53			
Marshal.....			John Hogan.			
Tax-Collector.....			Julius Kellersberger.			
Surveyor and Engineer.						
Assessor.....						
Chief Eng. Fire Dept.						
School Commissioners)						
or						
Board of Education.)						
NAME OF OFFICE.	1855-56.		1856-57.		1857-58.	
	NAME OF HOLDER.	DATE.	NAME OF HOLDER.	DATE.	NAME OF HOLDER.	DATE.
Mayor.....	Charles Campbell. Mch. 5, '55 E. Gallagher. S. L. Lynch. A. D. Eames. Andrew Williams. William Harwood. Leonard Johnson.		S. H. Robinson. Mch 3, '56 Robert Worthington. Wm. Hillegass. Edward Gibbons. Geo. H. Fogg. J. G. Ketteridge. F. K. Shattuck. Thomas Gallagher. Thomas Gallagher. J. P. M. Davis. J. P. M. Davis.		A. Williams. Mch 2, '57 (Robert Worthington. Wm. Hillegass. N. Gray. A. Davidson. Wm. Harwood. A. Marier. E. Gibbons. E. Gibbons. J. P. M. Davis. J. P. M. Davis.	
City Council.....						
Town and City Clerk...	Thomas Gallagher.		Thomas Gallagher.			
Treasurer.....	Thomas Gallagher.		Thomas Gallagher.			
Marshal.....	J. P. M. Davis.		J. P. M. Davis.			
Tax-Collector.....	J. P. M. Davis.		J. P. M. Davis.			
Surveyor and Engineer	J. E. Whitcher. Apr. 5, '55					
Assessor.....	Andrew Crosswell. Mch. 5, '55		A. D. McDevitt.		A. D. McDevitt.	
City Supt. of Schools...	Rev. E. J. Willis. July 13, '55		Rev. S. B. Bell. Sep. 17, '56		J. Prevaux.	
School Commission'rs)	Rev. H. Durant. Mch 24, '55		J. E. Whitcher.		H. Durant.	
or	Dr. E. Gibbons.		S. B. McKee.		Geo. H. Fogg.	
Board of Education.)	C. T. Jacobus.		A. Davidson.		J. Daley.	
NAME OF OFFICE.	1858-59.		1859-60.		1860-61.	
	NAME OF HOLDER.	DATE.	NAME OF HOLDER.	DATE.	NAME OF HOLDER.	DATE.
Mayor.....	A. Williams. Mch 3, '58 Thomas Gallagher. G. W. Fountain. J. McCann. Geo. W. Scribner. Jas. Daley. F. K. Shattuck.		F. K. Shattuck. Mch 7, '59 A. D. McDevitt. E. Hoskins. J. R. Rogers. J. B. Pierce. F. Warner. A. Marier. E. Gibbons. E. Gibbons. A. Davidson. A. Davidson. L. B. Tarpley.		J. P. M. Davis. Mch 7, '60 R. E. Cole. J. H. Brown. A. W. White. J. B. Pierce. P. W. Van Winkle. M. M. Howe. E. Gibbons. E. Gibbons. W. Hoskins. W. Hoskins. L. B. Tarpley. D. P. Brewster. June 6, '60 W. H. Glascock. Dec. 5, '60 E. Hoskins. D. C. Potter. W. H. Bovee.	
City Council.....						
Town and City Clerk...	E. Gibbons.		E. Gibbons.			
Treasurer.....	E. Gibbons.		E. Gibbons.			
Marshal.....	A. Davidson.		A. Davidson.			
Tax-Collector.....	A. Davidson.		A. Davidson.			
Assessor.....	N. J. Thompson.		L. B. Tarpley.			
City Supt. of Schools...			Geo. W. Blake. Oct. 19, '59			
School Commission'rs)			Wm. Hillegass.			
or	W. H. Glascock.		Geo. H. Fogg.			
Board of Education.)			Wm. Reed.			
Fund Commissioners.						

TABLE—Continued.

Showing the Officers of the Town of Oakland and the City of Oakland, Compiled from the Records of the Board of Trustees and City Council, from 1852 to 1883, Inclusive.

NAME OF OFFICE.	1861-62.		1862-63.		1863-64.	
	Name of Holder.	Date.	Name of Holder.	Date.	Name of Holder.	Date.
Mayor.....	J. P. M. Davis.....	Mch 6, '61	Geo. M. Blake.....	Mch 5, '62	W. H. Bovee.....	Mch " '—
City Council	E. Gibbons.....	"	E. Gibbons.....	"	E. Gibbons.....	"
	T. D. Woolsey.....	"	T. D. Woolsey.....	"	T. D. Woolsey.....	"
	J. M. Dillon.....	"	J. M. Dillon.....	"	O. L. Shafter.....	"
	A. D. Eames.....	"	A. D. Eames.....	"	Chauncey Taylor.....	"
	D. G. Barnes.....	"	Samuel B. Merritt.....	"	W. W. Crane, Jr.....	"
	B. C. Horn.....	"	F. K. Shattuck.....	"	F. K. Shattuck.....	"
Town and City Clerk.....	Edward Hoskins.....	"	E. T. Sanford.....	"	Jas. DeFremercy.....	"
Treasurer.....	Edward Hoskins.....	"	E. T. Sanford.....	"	E. P. Sanford.....	"
Marshal.....	W. Hoskins.....	"	W. Hoskins.....	"	Jas. Brown.....	"
Tax Collector.....	W. Hoskins.....	"	W. Hoskins.....	"	Jas. Brown.....	"
Assessor.....	L. B. Tarpley.....	"	J. E. Whitcher.....	"	J. M. Dillon.....	"
Attorney.....	.....	"	Wm. Van Voorhies.....	"	John W. Whitcher.....	Apr. 21, '63
City Supt. of Schools.....	F. K. Shattuck.....	Dec. 18, '61	Rev. Geo. Moorar.....	Nov. 20, '62	.....	"
School Commission'rs.....	M. Fallon.....	"	J. B. Saxton.....	"	.....	"
or	J. E. Whitcher.....	"	Geo. H. Fogg.....	"	.....	"
Board of Education.....	Wm. Reed.....	"	D. P. Barstow.....	"	.....	"
Fund Commissioners.....	Ed. Hoskins.....	May 29, '61	.....	"	.....	"

NAME OF OFFICE.	1864-65.		1865-66.		1866-67.	
	Name of Holder.	Date.	Name of Holder.	Date.	Name of Holder.	Date.
Mayor.....	E. Gibbons.....	Mch 14, '64	B. F. Ferris.....	Mch 6, '65	J. W. Dwinelle.....	Mch 5, '66
City Council.	E. Janssen.....	"	E. Gibbons.....	"	E. Gibbons.....	Mch 6, '65
	J. O. Miner.....	"	J. O. Miner.....	"	J. O. Miner.....	"
	D. P. Barstow.....	"	D. P. Barstow.....	"	D. P. Barstow.....	Mch 5, '66
	Chauncey Taylor.....	"	A. F. Rogers.....	"	P. S. Wilcox.....	"
	A. C. Palmer.....	"	A. H. Jayne.....	"	A. Anderson.....	"
	F. K. Shattuck.....	"	F. K. Shattuck.....	"	F. K. Shattuck.....	"
	Jas. DeFremercy.....	"	Chauncey Taylor.....	"	A. H. Jayne.....	"
Town and City Clerk.....	E. P. Sanford.....	Mch " '61	A. D. Eames.....	"	A. D. Eames.....	Mch 6, '65
Treasurer.....	E. P. Sanford.....	"	A. D. Eames.....	"	A. D. Eames.....	"
Marshal.....	Jas. Brown.....	Mch 14, '64	Jas. Brown.....	Mch 14, '64	Jas. Brown.....	Mch 5, '66
Tax-Collector.....	Jas. Brown.....	"	Jas. Brown.....	"	Jas. Brown.....	"
Surveyor and Engineer.....	.....	"	Wm. F. Boardman.....	Dec. 5, '65	.....	"
Assessor.....	J. M. Dillon.....	Mch " '63	J. M. Dillon.....	Dec. 6, '65	J. M. Dillon.....	"
Attorney.....	Geo. W. Blake.....	May 24, '64	N. Watson.....	"	Geo. H. Fogg.....	Apr. 25, '66
Justice of the Peace.....	.....	"	.....	"	Geo. H. Fogg.....	May 2, '66
Police Judge.....	.....	"	.....	"	Rev. L. Hamilton.....	"
School Commission'rs) or Board of Education. )	.....	"	.....	"	J. H. Brewer.....	"
	.....	"	.....	"	K. E. Cole.....	"
	.....	"	.....	"	F. Warner.....	"
	.....	"	.....	"	W. S. Snook.....	"
	.....	"	.....	"	Rev. B. Akerly.....	"
	.....	"	.....	"	Rev. Geo. Moorar.....	"

NAME OF OFFICE.	1867-68.		1868-69.		1869-70.	
	Name of Holder.	Date.	Name of Holder.	Date.	Name of Holder.	Date.
Mayor.....	W. W. Crane, Jr.....	Mch 7, '67	Samuel Merritt.....	Apr. 6, '68	J. B. Felton.....	Mch 1, '69
City Council	P. S. Wilcox.....	"	W. H. Miller.....	"	N. W. Spaulding.....	"
	W. G. Moody.....	"	W. G. Moody.....	"	F. H. Pardee.....	"
	W. H. Miller.....	"	F. M. Campbell.....	"	Walter Van Dyke.....	"
	J. A. Hobart.....	"	D. G. Barnes.....	"	D. G. Barnes.....	"
	F. M. Campbell.....	"	A. H. Jayne.....	"	W. C. Little.....	"
	B. F. Pendleton.....	"	J. A. Hobart.....	"	J. A. Folger.....	"
Town and City Clerk.....	H. Hillebrand.....	"	B. F. Pendleton.....	"	A. H. Jayne.....	"
Treasurer.....	H. Hillebrand.....	"	H. Hillebrand.....	"	H. Hillebrand.....	"
Marshal.....	H. Hillebrand.....	"	H. Hillebrand.....	"	H. Hillebrand.....	"
Tax-Collector.....	Chas. P. McKay.....	"	Chas. P. McKay.....	"	Chas. P. McKay.....	"
Surveyor and Engineer.....	Chas. P. McKay.....	"	Chas. P. McKay.....	"	Chas. P. McKay.....	"
Assessor.....	J. M. Dillon.....	"	W. F. Boardman.....	Sep. 21, '68	Chas. P. McKay.....	Jan. 10, '70
Attorney.....	.....	"	J. M. Dillon.....	"	T. J. Arnold.....	Mch 1, '69
Justice of the Peace.....	Thomas Wall.....	"	Geo. H. Fogg.....	"	H. M. Dillon.....	Apr. 5, '69
Police Judge.....	N. Watson.....	"	Sextus Shearer.....	"	H. H. Havens.....	Mch 1, '69
Chief of Police Dept.....	.....	"	.....	"	Geo. H. Fogg.....	"
Chief of Fire Dept.....	.....	"	.....	"	F. B. Tarbett.....	Oct. 11, '69
City Supt. of Schools.....	.....	"	.....	"	J. C. Nally.....	Oct. 13, '69
	Wm. Bartling.....	"	L. Walker.....	"	L. Walker.....	Mch 1, '69
School Directors, or Board of Education.)	Rev. L. Hamilton.....	"	(Rev. L. Hamilton.....	"	R. E. Cole.....	"
	L. Walker.....	"	N. B. Hoyt.....	"	B. T. Martin.....	"
	R. E. Cole.....	"	G. W. Armes.....	"	Geo. Tate.....	"
	B. T. Martin.....	"	Wm. D. Harwood.....	"	(FIRE COMMISSIONERS)	"
	W. S. Snook.....	"	Ed. McLean.....	"	D. G. Barnes.....	Mch 13, '69
	Rev. Geo. Moorar.....	"	.....	"	Miles D.ady.....	"
	.....	"	.....	"	L. Adler.....	"

TABLE—Continued.

Showing the Officers of the Town of Oakland and the City of Oakland, Compiled from the Records of the Board of Trustees and City Council, from 1852 to 1883, Inclusive.

NAME OF OFFICE.	1870-71.		1871-72.		1872-73.	
	Name of Holder.	Date.	Name of Holder.	Date.	Name of Holder.	Date.
Mayor.....	J. B. Felton.....	Mch 7, '70	N. W. Spaulding.....	Mch 6, '71	N. W. Spaulding.....	Mch 4, '72
	H. Durant.....	"	T. J. Murphy.....	"	T. J. Murphy.....	" 6, '71
	W. J. Garnett.....	"	E. H. Pardee.....	"	E. H. Pardee.....	"
	Chas. D. Haven.....	"	W. G. Garnett.....	"	F. Warner.....	Mch 4, '72
City Council.....	Q. A. Chase.....	"	J. V. B. Goodrich.....	"	B. F. Ferris.....	"
	A. L. Warner.....	"	A. L. Warner.....	"	A. L. Warner.....	Mch 6, '71
	E. H. Pardee.....	"	W. S. Snook.....	"	W. S. Snook.....	"
		"	Q. A. Chase.....	"	Mack Webber.....	Mch 4, '72
Town and City Clerk..	H. Hillebrand.....	Mch 1, '69	H. Hillebrand.....	"	H. Hillebrand.....	" 6, '71
Treasurer.....	Perry Johnson.....	Mch 7, '70	Perry Johnson.....	Mch 7, '70	Perry Johnson.....	Mch 4, '72
Marshal.....	Perry Johnson.....	"	Perry Johnson.....	"	Perry Johnson.....	"
Tax-Collector.....	T. J. Arnold.....	Jan. 10, '70	T. J. Arnold.....	Jan. 10, '70	T. J. Arnold.....	Jan. 10, '70
Surveyor and Engineer	J. M. Dillon.....	Mch 1, '69	J. M. Dillon.....	Mch 6, '71	J. M. Dillon.....	Mch 6, '71
Assessor.....	Geo. H. Fogg.....	Mch 7, '70	Geo. H. Fogg.....	Mch 7, '70	Geo. H. Fogg.....	" 7, '70
Justice of the Peace..	A. H. Jayne.....	"	A. H. Jayne.....	"	A. H. Jayne.....	" 4, '72
Police Judge.....	T. H. Finkerton.....	June 13, '70	T. H. Finkerton.....	June 13, '70	J. H. Finkerton.....	June 13, '70
Physician.....	Geo. Tate.....	"	F. M. Campbell.....	"	F. M. Campbell.....	Mch 6, '71
City Supt. of Schools..	Rev. L. Hamilton.....	"	Wm. Bartling.....	"	Jacob Bacon.....	"
School Directors, or Board of Education. }	J. W. Thurman.....	"	Ed. Playter.....	"	C. W. Kellogg.....	"
	G. W. Ames.....	"	R. E. Cole.....	"	O. H. Burnham.....	"
	F. S. Page.....	"		"	Wm. Button.....	"
	Dr. C. Cushing.....	Dec. 12, '70		"		"
Board of Health.....	Dr. A. Verhave.....	"		"		"
	Dr. J. C. Van Wyck..	"		"		"
Fire Commissioners ..		"	D. G. Barnes.....	Oct. 30, '71	J. J. Hanifin.....	June 10, '72
		"	P. S. Wilcox.....	"	V. P. Terry.....	"
		"	Q. A. Chase.....	"	Q. A. Chase.....	"

NAME OF OFFICE.	1873-74.		1874-75.		1875-76.	
	Name of Holder.	Date.	Name of Holder.	Date.	Name of Holder.	Date.
Mayor.....	Henry Durant.....	Mch 3, '73	Henry Durant.....	May 4, '74	Mack Webber.....	Mch 1, '75
	N. W. Spaulding.....	"	J. B. Larue.....	"	James Dods.....	"
	B. F. Ferris.....	"	Wallace Everson.....	"	J. M. Miner.....	"
	F. Warner.....	"	J. R. Mason.....	"	J. R. Mason.....	May 4, '74
City Council.....	Jas. Larue.....	"	Israel W. Knox.....	"	Uriel Huntington.....	Mch 1, '75
	Israel W. Knox.....	"	W. S. Snook.....	"	J. B. Ford.....	"
	W. S. Snook.....	"	Mack Webber.....	May 4, '72	F. W. Shanklin.....	"
	Mack Webber.....	Mch 4, '72		"	Wallace Everson.....	May 4, '74
Town and City Clerk..	H. Hillebrand.....	" 3, '73	H. Hillebrand.....	Mch 3, '73	H. Hillebrand.....	May 1, '75
Treasurer.....	Perry Johnson.....	Mch 4, '72	Perry Johnson.....	Mch 4, '74	Perry Johnson.....	May 4, '74
Marshal.....	Perry Johnson.....	"	Perry Johnson.....	"	Perry Johnson.....	"
Tax-Collector.....	T. J. Arnold.....	"	T. J. Arnold.....	"	T. J. Arnold.....	"
Surveyor and Engineer	J. M. Dillon.....	Mch 3, '73	J. M. Dillon.....	Mch 3, '73	J. M. Dillon.....	May 3, '73
Assessor.....	S. A. Gilchrist.....	" 4, '74	S. A. Gilchrist.....	" 4, '74		"
Attorney.....	Jas. Lentell.....	Mch 3, '73	Jas. Lentell.....	"	Jas. Lentell.....	"
Justice of the Peace..	A. H. Jayne.....	" 4, '72	A. H. Jayne.....	"	A. H. Jayne.....	"
Police Judge.....	Geo. E. Sherman.....	Aug. 18, '73	Geo. E. Sherman.....	June 8, '74		"
Physician.....		"	D. H. Rand.....	Sep. 21, '74	D. H. Rand.....	"
Chief of Police Dept..		"	J. C. Halley.....	Oct. 5, '74	M. de la Montanya.....	"
Chief of Fire Dept..		"	F. M. Campbell.....	Oct. 4, '74	F. M. Campbell.....	May 4, '74
City Supt. of Schools..		"		"	R. E. Cole.....	" 1, '75
School Directors, or Board of Education. }	R. E. Cole.....	"	C. W. Kellogg.....	"	L. Hamilton.....	"
	A. M. Miner.....	"	W. F. Bosman.....	"	J. A. Folger.....	"
	E. W. Playter.....	"	Dr. Wm. Bolton.....	"	A. W. Swett.....	"
	A. W. Swett.....	"	W. K. Rowell.....	"	W. K. Rowell.....	"
Board of Health.....		"	Dr. W. Bamford.....	June 8, '74	L. H. Cary.....	"
		"	Dr. C. S. Kittredge..	"		"
		"	Dr. Wm. Bolton.....	"		"

TABLE—Continued.

Showing the Officers of the Town of Oakland and the City of Oakland, Compiled from the Records of the Board of Trustees and City Council, from 1882 to 1883 Inclusive.

NAME OF OFFICE.	1876-77.		1877-78.		1878-79.	
	Name of Holder.	Date	Name of Holder.	Date	Name of Holder.	Date.
Mayor	E. H. Pardee	Mch 13, '76	E. H. Pardee	Mch 12, '77	W. R. Andrus	Mch 25, '78
1st Ward.	H. H. Watson	"	P. W. Fonda	"	P. W. Fonda	Mch 12, '77
2d Ward.	W. A. Walter	"	W. E. Grinnell	"	W. E. Grinnell	"
3d Ward.	"	"	W. A. Walter	"	W. A. Walter	"
4th Ward.	"	"	J. M. Miner	"	J. M. Miner	"
5th Ward.	"	"	W. E. Miller	"	W. E. Miller	"
6th Ward.	J. F. W. Sohst	"	J. F. W. Sohst	"	J. F. W. Sohst	"
7th Ward.	"	"	M. W. Fish	"	M. W. Fish	"
Town and City Clerk	H. Hillebrand	Mch 1, '75	Jas. Dods	"	James Dods	"
Treasurer	H. Hillebrand	"	Jas. Dods	"	James Dods	"
Marshal	Perry Johnson	Mch 13, '76	Perry Johnson	Mch 13, '76	J. R. Cutting	Mch 25, '78
Tax Collector	Perry Johnson	"	Perry Johnson	"	J. R. Cutting	"
Surveyor and Engineer	T. J. Arnold	"	T. J. Arnold	"	T. J. Arnold	"
Assessor	J. M. Dillon	Mch 3, '73	J. M. Dillon	Mch 12, '77	J. M. Dillon	Mch 12, '77
Attorney	Henry Vrooman	"	Henry Vrooman	"	P. W. Byrne	" 25, '78
Justice of the Peace	Geo. H. Fogg	"	Wm. Bolton	Mch 12, '77	Adam Koob	"
Police Judge	A. H. Jayne	Mch 13, '77	A. H. Jayne	Mch 13, '77	Ed. Hoskins	July 27, '77
Physician	L. H. Cary	Sep. 12, '77	L. H. Cary	Sep. 12, '77	L. H. Cary	Sep. 18, '76
Chief of Police Dept.	D. H. Rand	"	D. H. Rand	"	W. M. Gray	Oct. 15, '77
Chief of Fire Dept.	M. de la Montanya	Jan. 3, '77	M. de la Montanya	Jan. 24, '77	J. C. Hill	Jan. 7, '78
City Supt. of Schools	F. M. Campbell	Mch 13, '76	F. M. Campbell	Jan. 13, '76	F. M. Campbell	Mch 25, '78
School Directors, or Board of Education						
1st Ward.	Rev. B. Akerly	"	C. H. Redington	Jan. 12, '77	C. H. Redington	Mch 12, '77
2d Ward.	L. L. Alexander	"	J. A. Hobart	"	J. A. Hobart	"
3d Ward.	C. W. Kellogg	"	C. N. Fox	"	C. N. Fox	"
4th Ward.	"	"	R. E. Cole	"	R. E. Cole	"
5th Ward.	"	"	J. W. Shanklin	"	J. W. Shanklin	"
6th Ward.	"	"	Eugene Lynch	"	Eugene Lynch	"
7th Ward.	"	"	A. W. Sweet	"	A. W. Sweet	"
Board of Health	(Dr. W. Bamford	"	(Dr. W. Bamford	"	Dr. H. St. G. Hopkins	July 15, '78
	Dr. C. S. Kittredge	"	Dr. C. S. Kittredge	"	Dr. A. H. Agard	"
	Dr. Wm. Bolton	"	Dr. Wm. Bolton	"	Dr. H. Legler	"
NAME OF OFFICE.	1879-80.		1880-81.		1881-82.	
	Name of Holder.	Date.	Name of Holder.	Date	Name of Holder.	Date
Mayor	W. R. Andrus	Mch 13, '79	Jas. E. Blethen	Mch 3, '80	Jas. E. Blethen	Mch 14, '81
1st Ward.	J. C. Millan	"	J. C. Millan	Mch 14, '79	J. C. Millan	"
2d Ward.	J. N. Corlies	"	J. N. Corlies	"	I. S. Hawkins	"
3d Ward.	J. S. Wall	"	J. S. Wall	"	C. R. Lewis	"
4th Ward.	J. B. White	"	J. B. White	"	J. H. Fish	"
5th Ward.	David Hewes	"	David Hewes	"	Peter Thomson	"
6th Ward.	Jas. Gill	"	Jas. Gill	"	Jas. Gill	"
7th Ward.	C. W. Babcock	"	Geo. W. Babcock	"	Henry Hayes	"
Town and City Clerk	Jas. Dods	"	Jas. Dods	"	Jas. Dods	"
Treasurer	Jas. Dods	"	Jas. Dods	"	Jas. Dods	"
Marshal	J. R. Cutting	Mch 25, '77	M. E. Clough	Mch 3, '80	M. E. Clough	Mch 8, '81
Tax Collector	J. R. Cutting	"	M. E. Clough	"	M. E. Clough	"
Surveyor and Engineer	T. W. Morgan	June 10, '77	T. W. Morgan	June 10, '79	T. W. Morgan	June 10, '78
Assessor	J. M. Dillon	Mch 10, '77	J. M. Dillon	Mch 10, '79	J. M. Dillon	Mch 14, '81
Attorney	P. W. Byrne	" 25, '77	J. M. Poston	Mch 8, '80	J. M. Poston	Mch 8, '80
Justices of the Peace	C. C. Jenks	" 10, '79	C. C. Jenks	"	C. C. Jenks	"
	A. W. Bishop	"	A. W. Bishop	"	A. W. Bishop	"
Police Judge	Ed. Hoskins	"	John Yule	"	John Yule	"
Physician	Dr. Posey	Feb. 2, '80	A. C. Posey	Feb. 2, '80	J. R. Bradway	April 4, '81
Chief of Police Dept.	W. F. Fletcher	Mch 25, '77	W. F. Fletcher	Mch 25, '78	W. F. Fletcher	Mch 25, '78
Chief of Fire Dept.	Jas. Hill	Jan. 7, '77	Jas. Hill	Jan. 7, '78	Jas. Hill	Jan. 7, '78
City Supt. of Schools	F. M. Campbell	Mch 25, '78	H. J. Todd	Mch 2, '80	H. J. Todd	Mch 8, '81
School Directors, or Board of Education						
1st Ward.	C. H. Redington	Mch 13, '77	C. H. Redington	Mch 10, '79	C. H. Redington	Mch 14, '81
2d Ward.	F. M. Smith	"	F. M. Smith	"	Alex. Elder	"
3d Ward.	C. N. Fox	"	C. N. Fox	"	W. H. Jordan	"
4th Ward.	C. D. Harris	"	C. D. Harris	"	I. Everett	"
5th Ward.	Geo. H. Wheaton	"	Geo. H. Wheaton	"	Geo. C. Pratt	"
6th Ward.	Eugene Lynch	"	Eugene Lynch	"	Eugene Lynch	"
7th Ward.	A. W. Sweet	"	A. W. Sweet	"	M. W. Fish	"
Board of Health	(Dr. A. C. Posey	Mch 3, '80	(Dr. A. C. Posey	Mch 3, '80	Dr. A. H. Agard	April 13, '81
	Dr. W. M. Brown	"	Dr. W. M. Brown	"	Dr. T. H. Pinkerton	"
	"	"	"	"	O. H. Burnham	Mch 14, '81
Free Library Trustees					J. A. Swenarton	"
					Dr. A. H. Agard	"
					W. B. Ladd	"
					W. H. H. Hamilton	"

TABLE—Continued.

Showing the Officers of the Town of Oakland and the City of Oakland, Compiled from the Records of the Board of Trustees and City Council, from 1852 to 1883, Inclusive.

NAME OF OFFICE.	1882-83.		NAME OF OFFICE.	1883-84.	
	Name of Holder.	Date.		Name of Holder.	Date.
Mayor.....	C. K. Robinson.....	Mch 13, '82	Mayor.....	J. West Martin.....	Mch 12, '83
City Council.	1st Ward.....	J. L. Millan.....	1st Ward.....	J. T. Carothers.....	"
	2d Ward.....	L. S. Hawkins.....	2d Ward.....	S. M. Babbitt.....	"
	3d Ward.....	C. R. Lewis.....	3d Ward.....	E. B. Dean.....	"
	4th Ward.....	J. H. Fish.....	4th Ward.....	M. de la Montanya.....	"
	5th Ward.....	Peter Thomson.....	5th Ward.....	M. C. Garber.....	"
	6th Ward.....	Jas. Gill.....	6th Ward.....	Jas. McGivney.....	"
	7th Ward.....	Henry Hayes.....	7th Ward.....	Henry Hayes.....	"
Town and City Clerk.....	Jas. Dods.....	"	Town and City Clerk.....	Jas. Dods.....	"
Treasurer.....	Jas. Dods.....	"	Treasurer.....	Jas. Dods.....	"
Marshal.....	M. E. Clough.....	Mch 13, '82	Marshal.....	M. E. Clough.....	Mch 13, '82
Tax-Collector.....	M. E. Clough.....	"	Tax-Collector.....	M. E. Clough.....	"
Surveyor and Engineer.....	T. W. Morgan.....	June 10, '78	Surveyor and Engineer.....	T. W. Morgan.....	June 10, '78
Assessor.....	J. M. Dillon.....	Mch 14, '81	Assessor.....	J. M. Dillon.....	Mch 12, '83
Attorney.....	John Yule.....	" 13, '82	Attorney.....	John Yule.....	" 13, '82
Justices of the Peace.....	C. C. Jenks.....	Nov. 7, '82	Justices of the Peace.....	C. C. Jenks.....	Nov. 7, '82
Police Judge.....	A. W. Bishop.....	" 13, '82	Police Judge.....	S. F. Daniels.....	Mch 13, '82
	S. F. Daniels.....	" 13, '82		E. W. Buck.....	April 16, '83
	J. R. Bradley.....	April 4, '81		E. J. Chase (Acting).....	April 2, '83
	Peter Punyca.....	Oct. 3, '81		Jas. Hill.....	Jan. 7, '78
	Jas. Hill.....	Jan. 7, '78		J. C. Gilson.....	Mch 13, '62
	J. C. Gilson.....	Mch 13, '82			
Chief of Police Department.....	Peter Punyca.....	Oct. 3, '81	Chief of Police Department.....	E. J. Chase (Acting).....	April 2, '83
Chief of Fire Department.....	Jas. Hill.....	Jan. 7, '78	Chief of Fire Department.....	Jas. Hill.....	Jan. 7, '78
City Supt of Schools.....	J. C. Gilson.....	Mch 13, '82	City Supt of Schools.....	J. C. Gilson.....	Mch 13, '62
School Directors, or Board of Education.			School Directors, or Board of Education.		
1st Ward.....	C. H. Redington.....	Mch 14, '81	1st Ward.....	C. H. Redington.....	Mch 12
	Alex. Elder.....	"		A. W. Burrell.....	"
	W. H. Jordan.....	"		W. H. Jordan.....	"
	E. Everett.....	"		E. Everett.....	"
	Geo. C. Pratt.....	"		E. B. Clement.....	"
	Eugene Lynch.....	"		Henry Sohst.....	"
	M. W. Fish.....	"		M. W. Fish.....	"
Board of Health.....	Dr. A. C. Posey.....	April 18, '81	Board of Health.....	Dr. J. W. Trembly.....	"
	Dr. A. H. Agard.....	"		Dr. A. H. Agard.....	"
	Dr. T. H. Pinkerton.....	"		Dr. T. H. Pinkerton.....	"
	O. H. Burnham.....	Mch 14, '81		E. M. Long.....	Mch 12, '83
Free Library Trustees.....	J. A. Swenarton.....	"	Free Library Trustees.....	Wm. Walker.....	"
	C. W. Kellogg.....	"		C. W. Kellogg.....	"
	W. B. Ludlow.....	"		O. H. Burnham.....	"
	W. H. H. Hamilton.....	"		E. A. Trefethen.....	"

NOTES—1852-1853.

1852, May 17—A. Marier to be President Board of Trustees.
1853, Jan. 8—A. S. Hurlburt to be Clerk to Board of Trustees, vice Shattuck, resigned.

NOTES—1854-1855.

1854, June 24—James Grey to be Pound Master.
1855, Jan. 10—E. W. Cohea to be Pound Master.
1855, Jan. 23—Micah M. Howe to be City Marshal, vice Hogan, absconded.

NOTES—1855-1856.

1855, March 12—E. Gallagher to be President of Council.
May 2—Andrew Williams to be President of Council, vice Gallagher, resigned that appointment.
" May 29—Ed. Gibbons and Robt. Worthington to be Members of Council, vice Gallagher and Eames, resigned.
" June 6—J. E. Whitcher to be School Commissioner, vice Gibbons, resigned.
" July 18—J. E. Whitcher to be School Commissioner, vice Durant, resigned.
" Sep. 6—L. N. Crocker to be Member of Council, vice Lynch, absent.

NOTES—1856-1857.

1856, March 12—Edward Gibbons to be President of Council.

NOTES—1857-1858.

1857, April 15—F. E. Prevaux to be Superintendent of Public Works.
" " 15—James Lentell to be Member of Council, vice Gray, failed to qualify.

NOTES—1858-1859.

1858, March 8—F. K. Shattuck to be President of Council.
" Sep. 10—J. Dieves to be Member of Council, vice McCann, disqualified on contested election.
" Oct. 20—Wm. Hilleglass to be School Commissioner, vice W. H. Glascock, resigned.

NOTES—1859-1860.

1859, March 14—E. Hoskins to be President of Council.
" Dec. 7—J. P. M. Davis to be Mayor, vice Shattuck.
" " "W. H. Bovee to be Member of Council, vice Marier, resigned.

NOTES—1860-1861.

1860, July 5—P. Hoskins to be School Commissioner.
" " "J. R. Rogers to be Member of Council, vice V Winkle, absent.

NOTES—1861-1862.

1861, March 11—E. Gibbons to be President of Council.
" Aug. 5—Geo. M. Blake to be Member of Council, vice Barnes, absent.
1862, Jan. 15—C. T. Jacobus to be School Trustee, vice Reed, resigned.

NOTES—1862-1863.

1862, March 10—E. Gibbons to be President of Council.
" 31—E. Hoskins to be Member of Council.

NOTES—1863-1864.

1863, March 11—E. Gibbons to be President of Council.
" June 29—L. Janssen to be School Trustee, vice Saxton, resigned.
" Dec. 22—D. P. Barstow to be Member of Council, vice Shafter, resigned.
1864, Jan. 26—J. O. Miner to be Member of Council, vice Haynes, resigned.

NOTES—1864-1865.

1864, March 14—F. K. Shattuck to be President of Council.
" Sep. 27—E. D. Waters to be Member of Council.
1865, Jan. 3—A. F. Rogers to be Member of Council, vice Palmer, resigned.

NOTES—1865-1866.

1865, March 21—G. J. Faulkner to be Member of Council, vice Jayne, resigned.

NOTES—1866-1867.

1866, March 5—E. Gibbons to be President of Council.

NOTES—1867-1868.

- 1867, July 23—Sextus Shearer to be Police Judge, *vice* Watson, deceased.
 " Nov. 2—Dr. S. Merritt to be Mayor, *vice* Crane, resigned.
 " Nov. 16—F. M. Campbell to be Member of Council, *vice* Anderson, deceased.
 " Dec. 21—E. F. Rendleton to be President of Council, *vice* Hobart, resigned that appointment.

NOTES—1869-1870.

- 1869, March 8—A. W. Jayne to be President of Council.
 " " 13—Thos. Maguire to be First Assistant Engineer Fire Department.
 " " 13—Geo. Taylor to be Second Assistant Engineer Fire Department.
 " April 19—Horace Laperle to be Assistant Engineer Fire Department.
 " Oct. 25—Walter Van Dyke to be Member of Council, *vice* Campbell, resigned.
 " Dec. 6—W. H. Miller to be Member of Council, *vice* Little, resigned.
 1870, Jan. 3—Miles Doody to be Chief Engineer Fire Department, *vice* Nally.

NOTES—1870-1871.

- 1870, March 14—H. Durant to be President of Council.
 " Sept. 19—J. V. B. Goodrich to be Member of Council, *vice* Durant, resigned.

NOTES—1872-1873.

- 1872, March 25—V. P. Terry to be Fire Commissioner, *vice* Wilcox, resigned.

NOTES—1873-1874.

- 1873, March 10—Mack Webber to be President of Council.
 " " 17—A. L. Warner to be Fire Commissioner.
 " April 7—J. H. Howard and H. E. Winslow to be Fire Commissioners, *vice* Chase and Warner, resigned.

NOTES—1874-1875.

- 1874, May 11—Mack Webber to be President of Council.
 " Oct. 12—M. de la Montanya to be Chief Engineer Fire Department, *vice* Halley, resigned.
 1875, Feb. 1—Mack Webber to be Mayor, *vice* Durant, deceased.
 " " 15—F. Warner to be Member of Council, *vice* Webber, elevated to the office of Mayor.
 " " 15—I. W. Knox to be President of Council, *vice* Webber.

NOTES—1875-1876.

- 1875, Aug. 23—Dr. E. H. Pardee to be Member of Council, *vice* Mason, resigned.

NOTES—1876-1877.

- 1876, April 17—J. W. Shanklin to be Member of Board of Education, *vice* Rev. L. Hamilton, resigned.

NOTES—1877-1878.

- 1877, March 10—W. A. Walter to be President of the Council.
 " April 30—F. O. Fuller to be Chief Engineer Fire Department, *vice* Montanya, resigned.
 " July 19—C. E. Sessions and F. H. Simpson to be Water Commissioners, resigned.
 " July 23—L. G. Cole to be Water Commissioner, *vice* Sessions, resigned.
 " July 27—Ed. Hoskins to be Police Judge, *vice* Jayne, deceased.
 " Oct. 15—W. W. Gray to be Chief of Police, *vice* Rand, deceased.
 " Nov. 19—W. W. Camron to be Member of Council, *vice* Miller, resigned.
 1878, Jan. 7—James Hill to be Chief Engineer Fire Department, *vice* Fuller.
 " March 18—Samuel Milbary to be Member of Council, *vice* Camron, resigned.
 " " 25—W. F. Fletcher to be Chief of Police, *vice* Gray; office declared vacant.

NOTES—1878-1879.

- 1878, June 20—T. W. Morgan to be City Engineer, *vice* Arnold, deceased.
 " Aug. 19—Elisha Hook to be Member of Council, *vice* Sohat, resigned.
 " Sept. 16—C. C. Jenks to be City Justice of the Peace, *vice* Koob, resigned.

NOTES—1879-1880.

- 1879, March 17—J. B. White to be President of Council.
 " Sept. 1—D. C. Bortree to be Police Clerk.
 " " 15—L. G. Cole to be Member of Council, *vice* Corties, resigned.
 " Oct. 6—Geo. L. Morgan to be City Attorney.
 1880, Jan. 5—T. F. Jenkins to be Sanitary Inspector, *vice* Church, resigned.

NOTES—1880-1881.

- 1880, March 29—J. A. Booth to be License Collector.
 " June 21—G. W. Babcock to be President of Council, *vice* White, resigned that appointment.

NOTES—1881-1882.

- 1881, March 21—Henry Hayes to be President of Council.
 " Oct. 3—S. K. Hassinger to be Sanitary Inspector.
 " " 3—Peter Pumyea to be Chief of Police Department, *vice* Fletcher.

Let us now introduce to the reader histories of some of its churches, schools, societies, and industries.

CHURCHES.—There are nearly forty churches in the city of Oakland of all denominations, but our space will only admit of our giving histories of the oldest of these. From the days when "two or three were gathered together" under the shade of one of Oakland's spreading oaks, up to the present the city has been the home of churches that have grown in beauty of design and magnificence of architecture, as the years flew by. She is sometimes called the "City of Spires," as she deserves to be, for more graceful outlines are not to be found anywhere. Her number of devotees is large, and, in truth, Oakland is a city of families, boasting in her churches and her schools.

First Presbyterian Church.—This church was organized in April, 1853, being one of the oldest of any denomination in Oakland. The first services were held in a cloth tent, and afterwards in the public school house, under the pastoral charge of Rev. S. B.

Bell. He was succeeded by Rev. E. B. Walsworth, who officiated until December, 1865, when Rev. L. Hamilton was called to the pastorate, and continued in charge until February 24, 1869. On August 17, 1869, the Rev. Daniel W. Poor, D. D., succeeded to the duties, since when the following have been the pastors: From June, 1872, to November, 1879, Rev. James Eels, D. D.; from November, 1879, to November, 1882, Rev. Samuel P. Sprecher, D. D. The present pastor, Rev. Francis A. Horton, assumed the pastorate April 8, 1883.

The present church edifice, on the northeast corner of Fourteenth and Franklin Streets, was built in the year 1875, at a cost of about fifty-two thousand dollars, and was dedicated for public worship January 16, 1876. It is one of the handsomest structures in the city. The original church building occupied by this society was erected about 1856, at the corner of Webster and Sixth Streets, at a cost of about six thousand dollars. It was afterwards removed to the southeast corner of Broadway and Thirteenth Streets, and enlarged to meet the requirements of the growing congregation. It now stands on Thirteenth Street, between Broadway and Franklin Streets, and is used as an armory.

The present membership of the church is eight hundred and forty-two, the largest accession to the church in any one day was on March 6, 1881, when two hundred and twenty persons were admitted to its membership. The present officers are as follows: Pastor, Rev. Francis A. Horton; Elders, E. Bigelow, G. W. Armes, C. W. Armes, J. B. Ford, J. J. Gardiner, J. C. Raymond, C. H. Fish, G. D. Gray, P. D. Browne, A. J. Ralston, H. L. King, Jr., C. A. Bailey; Deacons, W. H. Knight, W. F. Curtis, R. W. Poindexter, A. Elder, F. S. Page; Trustees, A. Miller, D. E. Martin, E. C. Sessions, E. B. Beck, A. J. Ralston, M. W. Upton, C. L. Watson; President of the Society, W. H. Friend; Secretary, M. W. Upton; Treasurer, W. P. Wheeler.

The Sunday-school connected with this church was organized in April, 1853, under the superintendency of John Kelsey, with four teachers and six scholars. The present membership is, officers and teachers, eighty-four; scholars, six hundred and seventy-three; total, seven hundred and fifty-seven. Officers, 1882-83—Pastor, Rev. Francis A. Horton; Superintendent, G. W. Armes; Assistant Superintendent, H. L. King, Jr.; Secretary, M. S. Hill; Treasurer, G. W. Armes; Librarian, J. E. Simmons; Assistant Librarians, J. H. Henderson, Geo. Henderson; Chorister, Miss Jennie Harrison; Organist, J. F. Kendall; Pianist, Miss Mollie Andrews; Advisory Committee, H. L. King, Jr., P. D. Browne, C. H. Fish, Chas. A. Bailey, G. D. Gray. Primary Department—Superintendent, Mrs. William Sublette; Assistant Superintendent, Miss Kate S. Van Arsdale; Secretary, Mrs. M. B. Holmes; Treasurer, Mrs. James E. Gordon; Librarian, Mrs. Edward Hackett; Assistant Librarian, Miss Bessie Goodfellow.

Independent Presbyterian Church.—This church was organized February 28, 1869, and is the only one of a similar character in California. The first pastor, Rev. L. Hamilton, officiated for several years as minister of the First Presbyterian Church in Oakland, but for opinions expressed by him he was tried before the Presbytery, and subsequently before the Synod, resulting in his being deposed by those bodies, February 24, 1869. A large portion of Mr. Hamilton's congregation, who were opposed to this decision of the Presbytery and Synod, determined upon organizing another society,

and secured Brayton Hall as a temporary place of worship, where services were held until the spring of 1870, when the edifice, situated at the southeast corner of Thirteenth and Jefferson Streets, was erected, at a cost, including lot, of about twenty-two thousand five hundred dollars. The pastor, since Mr. Hamilton's death, which occurred April 9, 1882, has been Clarence Fowler, who began his pastorate June 5, 1882, when the society assumed the name of Hamilton Church of Oakland.

The Sunday-school connected with the church was organized March 6, 1869, and at present has an attendance of one hundred scholars, and ten teachers. The church officers are: Trustees, N. W. Spaulding, P. N. Remillard, J. W. Ward, Thomas Varney, J. D. Haines, O. M. Sanford, A. T. Dewey, and J. W. Mackie. Clarence Fowler is Superintendent of the Sunday-school. The church is essentially Unitarian, of the broadest Christian sentiment.

St. John's (Episcopal) Church.—This church had an humble origin when Oakland numbered but a few houses, and not over one thousand inhabitants. During the summer of 1852 two families met and worshiped unitedly, until a member of one of the families fell seriously ill, when the services were discontinued. In August, 1853, Rev. Doctor Ver Mehr, Rector of Grace Church, San Francisco, visited Oakland, to aid in the establishment of a church, and with much difficulty a meeting of twelve persons was convened. For various reasons, however, the project was for the time abandoned. Toward the close of the same year, the Rev. John Morgan appeared, and preached a sermon to a small but attentive audience beneath the branches of one of Oakland's shady trees, and so favorable was the impression then made that it was determined that a covered church of some kind should be procured by the following Sunday, if the reverend gentleman would repeat his visit. A large tent, twenty-five by seventy feet, was erected, with a cross upon the apex to designate the object of the structure, and a temporary pulpit fitted up. Mr. Morgan, however, was in some manner detained, but a Presbyterian, the Rev. Mr. Walworth, who had incidentally visited Oakland, being present in the congregation, was invited to officiate. The same week the tent and appurtenances were sold to the Presbyterians. In December, 1854, the Right Rev. Bishop Kip celebrated divine service in a room that had been prepared for the purpose. In January, 1855, the missionary, Rev. E. W. Syle, arrived, and became acting rector of the embryo parish. The first communion service was celebrated on Sunday, February 4th, when eleven communed with the rector. On March 5th of the same year, the parish was regularly incorporated and trustees elected, but it was not until the 8th of August following that a constitution and by-laws were finally adopted. During the same month a rented room was fitted up as a church, with benches, at a cost of one hundred and fifty dollars, current expenses being met by collections every Sunday. The Rev. Mr. Syle resigned January, 1856, and from that time lay services were regularly held, Bishop Kip officiating occasionally. In July, 1856, the Rev. James W. Caper became rector, and continued in charge until 1857, when he resigned, and the Rev. Benj. Akerly became rector, officially, March 1, 1858, although he had officiated regularly from December, 1857. A lot was purchased in 1860 for the sum of four hundred and fifty dollars, and a church edifice erected thereon, at a cost of two thousand six hundred dollars, which

has since been enlarged twice. The church was consecrated to divine service March 1, 1860, while the number of communicants in June, 1872, was one hundred and fifty. The Rev. Benjamin Akerly, D. D., has been rector over twenty-five years.

The Sunday-school connected with the church was organized April, 1858, and has an attendance now of two hundred and fifty scholars, and a library containing five hundred volumes. The church officers are: R. W. Kirkham, Senior Warden; Chas. D. Haven, Junior Warden; Chauncey Taylor, James de Fremery, Van Leer Eastland, J. Harvey Fish, Pieter J. Van Loben Sels, and of the Sunday-school, the rector is Superintendent; Wm. M. Cubery, Assistant Superintendent, and twenty teachers. This church has also a chapel at Temescal, where services are held every Sunday afternoon at 2 o'clock, with Sunday-school of an average attendance of about seventy.

St. Paul's (Episcopal) Church.—This church affords a striking example of what may be accomplished by a few persons in a short time. It has derived its remarkable prosperity through the zeal and wisdom of a few vestrymen, materially aided by a popular and energetic rector. Its inception was begun in a desultory way by a few small gatherings of persons uncomprehending the magnitude which the enterprise thus born was shortly to attain. Speedily, however, they realized the work before them, and the church was duly organized in February, 1871. It has drawn within its doors a congregation comprising large influence and wealth from a field comparatively unoccupied before, and is solidly established on a broad temporal and spiritual basis as a great and growing Christian power. The organizers were peculiarly happy in the purchase of the church property. It consisted of a chapel with a rectory, belonging formerly to the California College, and a lot one hundred feet square situated at the corner of Twelfth and Webster Streets. The purchase price was ten thousand dollars, payable in ten years, and was secured by an individual note of four of the vestrymen, with mortgage on the property. The deed was made a third party in trust, for conveyance to the church whenever, within a certain time, it should pay one-fourth the purchase price. The chapel was arranged interiorly to fit it for church purposes at an extreme of two thousand dollars, obtained on loan by individual members of the vestry. Sixty pews were put in, capable of seating comfortably two hundred persons. They were tastefully upholstered, carpets laid, an organ purchased, and real work was then begun. Pew rates were fixed to produce two hundred and twenty dollars monthly, allowing free seats for forty persons. The first twelve months showed an increase from pew rentals from fifty-seven to one hundred and fifty-three dollars, demonstrating a steady growth of membership. Fifty dollars a month was received for rental of the basement for school purposes, and of the rectory for a residence. By the end of a year the regular income, including offertories and subscriptions met all current expenses, comprising interest, salaries, and incidentals, and it has since kept pace with the increased expenses. In 1880 the church building was moved to the corner of Fourteenth and Harrison Streets where it is now located. The rectors in charge of the parish up to date have been Rev. Charles W. Turner, 1871; Rev. J. L. Parks from 1874 to 1879, the first of July in which latter year the present Rector, Rev. Hobart Chetwood entered on the Rectorship.

The first officers and vestry were: Allen I. Gladding, Senior Warden; Capt

Watson Webb, Junior Warden, and Secretary; R. C. Alden, Treasurer; Hon. John A. Stanley, John B. Harmon, Dr. W. C. Parker, Thomas J. Hyde, Dr. H. P. Babcock, Thomas Yolland. Those at present serving are Allen I. Gladding, Senior Warden; William R. Wheaton, Junior Warden and Secretary; D. M. Kent, Treasurer; S. W. Bugbee, Secretary.

The Sunday-school in connection with the church was organized in 1871, and at present consists of two hundred and twenty-five scholars and twenty teachers under the superintendency of the Rector.

St. Andrew's Mission (Episcopal).—This mission is under charge of the Rev. Charles L. Miel, and is doing good work in the cause. There is an average attendance of about forty-five families, with fifty-eight communicants. The property it possesses is valued at twelve hundred dollars, but as yet no church has been built, services being conducted in a room temporarily fitted up for the purpose. It supplies a want long felt in the western portion of the town, and bids fair to become a permanency in that locality.

First Baptist Church of Oakland.—This church was organized with the following constituent members: Rev. E. J. Willis, Mrs. A. N. Willis, Mr. L. W. Taylor, Mr. S. Ayers, Mrs. Mary Potter, and Mr. J. N. Thompson. Rev. E. J. Willis was chosen Pastor, N. J. Thompson, Deacon, and L. W. Taylor, Clerk. In December, 1854, under the labors of Rev. E. J. Willis, missionary, the first house of worship being dedicated at that time, and was the first Protestant church completed in the city. It was located at the corner of Fifth and Jefferson Streets, and cost, with the land, about two thousand dollars. Mr. Willis' pastorate terminated in June, 1856, leaving the church without a pastor for about a year. In May, 1857, Rev. Harvey Gilbert began to preach, and, four months later, was settled as pastor. He resigned in December, 1858, and was succeeded in April, 1859, by Rev. J. B. Saxton. In May, 1863, Mr. Saxton having left, Rev. John Francis became pastor of the church. Soon thereafter the house of worship was removed to the corner of Clay and Ninth Streets, a more eligible situation in view of the rapid growth of the city. This house, and the lot on which it was located, were sold, when the new edifice was rented to the German Turn Verein, who occupy it during the week, religious services having been frequently held there on the Sabbath. Mr. Francis resigned in July, 1864, and was succeeded in November of the same year, by Rev. A. L. Baker, a recent graduate from Rochester. He, however, was compelled to resign in a few months on account of ill-health. In July, 1865, Rev. B. T. Martin was called to the pastorate and continued pastor for nearly six years. During Mr. Martin's pastorate the present handsome edifice at the southeast corner of Fourteenth and Brush Streets was erected at a cost of thirty thousand dollars, the lot whereon it stands having cost twenty-five hundred dollars. It was formally dedicated in March, 1869, the chapel in the rear having been occupied three months before, and used while the main building was being completed. Since that time the following pastors with the dates of their induction have supplied the pulpit: Rev. T. C. Jameson as supply, from August 1871 to May 1873; Rev. R. F. Parshall as pastor, from May 1873 to October 12, 1873; Rev. R. Patterson and Rev. C. B.

Post as supplies, from October 1873 to May 1874; Rev. B. S. McLafferty as Pastor, from May 10, 1874 to March 30, 1879; Rev. Granville S. Abbott, D.D., Pastor, from April 2, 1879 to Dec. 31, 1881; Rev. E. Nisbett and Rev. E. H. Gray as supplies (awaiting the arrival of the Rev. Evan Davis* to whom a call had been extended and accepted, but sickness prevented his fulfilling his engagement); Rev. E. H. Gray, D.D., Pastor, August 30, 1882.

The Sunday-school connected with the church was organized in 1854. It has in attendance thirty teachers and two hundred and sixty-seven scholars, and a library of six hundred volumes. The officers of the church are, Pastor, Rev. E. H. Gray, D. D.; Deacons, J. T. Latimer, Cyrus Dam, C. W. Dearborn, H. Garthwaite, J. Z. Dudley; Clerk, H. Garthwaite; Treasurer, Dr. J. R. Bradway; Trustees, J. P. Cogswell, J. L. Lyon, Ch. Schrieber, James Dalziel, G. F. Lamson.

Sunday-school—G. F. Lamson, Superintendent; Charles Baker, Assistant; Wm. Lyon, Librarian; Ella Swain, Secretary and Treasurer.

Chinese Mission—H. Garthwaite, Superintendent; Organist, Mrs. C. T. Benjamin; Sexton, D. C. Davison.

Church of the Immaculate Conception (Roman Catholic).—Thirty years ago a room in a private house served as a place of worship for the Roman Catholics of Oakland and nearly the whole of the present county of Alameda. A priest from the Mission of San José occasionally made a visit to celebrate mass and administer the sacraments, and even these occasional visits had to be omitted during the rainy season, owing to the bad roads. The first church, a building of the most modest description, was erected in 1853 through the exertions of a few of the congregation, and for some time was the only Roman Catholic place of worship in the whole of Alameda and Contra Costa Counties, with the exception of the old Mission. Subsequent additions made by the Revs. Fathers Croke and King increased the size of this edifice until it was capable of holding a congregation of several hundreds, but this, too, became entirely inadequate to the needs of the population of Oakland, although three new parishes had been formed in the county. In 1869 Father King determined to erect a church on a scale commensurate with the promised importance of the city. Plans accordingly were prepared for a building surpassing in dimensions anything in the State, though only with the intention of erecting a part of it at first, a design which has been carried out in the present structure. The foundations were laid in that year, but various causes retarded any further progress until May, 1871, when the superstructure was commenced and pushed vigorously forward. Although not quite completed the church was dedicated on June 23, 1872, the ceremony being performed by Archbishop Alemany. The sermon was preached by Father Gallagher, to whom, nearly thirty years before, the Roman Catholics of Oakland were in a great measure indebted for their first place of worship.

The church is of wood, with heavy brick foundations, and built in the strongest manner, with double walls firmly braced together. The nave roof principals are supported by posts twelve inches square and fifty-four feet long, to which the principals of the aisle roofs are secured at a height of about thirty-four feet, and these

*Burlington, N. J.

at the outside rest on posts eight inches square and strengthened by side buttresses. The style of the building is early Gothic, and it consists of a nave, side aisles, chancel, and two front towers. The latter are to be surmounted by spires at a future period, but even in their present state their height (one hundred and four feet to the top of the pinnacles) and size give a highly imposing appearance to the front. The roof is open; on the inside the spaces between the principals and tie-beams, and the latter and the arch braces, in both nave and aisle roofs, being filled in with light and elegant open-work tracery. The ceiling is paneled and painted blue, with stars; the wood-work being painted white, with flower patterns with tertiary colors. At the sides the arch braces under the roof-timbers are terminated in carved niches, intended to receive statues of the Twelve Apostles. The cornices are also of wood, the arches between the naves and aisles and the chancel arch being, with the walls and ceiling under the organ gallery, the only plaster-work in the building. The organ gallery projects only a few feet into the church, thus allowing its full dimensions to be better appreciated. The windows are filled with rich stained glass, the heads being ornamented with emblematic figures, and the large front window being quite a fine specimen of artistic design. It is not the least satisfactory matter in connection with this building, that it is entirely the product of California design and workmanship. Nearly all the men employed on it belonged to Oakland; the stained glass was manufactured by Mallon & Boyle, of San Francisco, and the fresco painting executed by S. Buzzi, of the same city. The entire cost of the building was about thirty-three thousand dollars, while it has a seating capacity for one thousand two hundred and fifty persons. The Sunday-school connected with the church was organized in 1853, and is under the superintendence of the Rev. Father King. It is situated on Jefferson Street, between Eighth and Seventh Streets.

The First Congregational Church of Oakland.—Was formally organized December 9, 1860, with a membership of seventeen persons. Its first place of worship was the Baptist church, then situated on the corner of Fifth and Jefferson Streets. Afterwards for a few months its services were held in a building called "The Pavilion," on the Plaza, Broadway, between Fourth and Fifth Streets, the site of the present County Court House.

Rev. George Pierson, then pastor of the Presbyterian Church in Brooklyn, commenced the first Sabbath service of the church in November, 1860, and continued to supply the pulpit once each day till the arrival of the chosen pastor. This was Rev. George Mooar, who came from Andover, Massachusetts, arriving in Oakland May 6, 1861, and beginning his services with the church on the Sunday following, May 12th. He was formally installed as pastor August 30th, of the same year.

Having been elected to a professorship in the Pacific Theological Seminary, Rev. Mr. Mooar resigned his charge, and left the pastorate August 4, 1870, nine years from his installation. He continued to supply his pulpit and act as pastor, however, for nearly two years longer.

The present pastor, Rev. J. K. McLean, D. D., came from Springfield, Illinois, on April 24, 1872, and was installed in the following June.

In September, 1861, the church purchased the block bounded by Broadway, Wash-



John Taylor

ington, Tenth, and Eleventh Streets, for the sum of one thousand four hundred dollars. Upon this a church building was immediately erected, and occupied for religious worship in June, 1862. It was enlarged in 1867; in 1868 a chapel was added. In 1871 the half of the block fronting on Broadway was sold for sixty-five thousand dollars the church building was removed to the corner of Washington and Tenth. In the following April the church was again enlarged. In April, 1878, work was begun upon the present house of worship, corner of Central Avenue and Clay Street. The cornerstone was laid May 21st, and the building formally dedicated January 21, 1879.

The cost of the present structure, with ground and furnishing, was in the neighborhood of one hundred thousand dollars. It contains sittings for fourteen hundred persons. Its auditorium is undoubtedly the most complete on the Pacific Coast.

The church has received since its formation one thousand two hundred and forty-three members, of whom seven hundred and sixty are members at the present time. It has raised for church construction and current expenses down to September, 1882, the sum of two hundred and ninety-nine thousand seven hundred and fifty-three dollars and seventeen cents; and for charitable purposes fifty-six thousand five hundred and nine dollars and fifty-five cents, a total of three hundred and fifty-six thousand two hundred and sixty-two dollars and seventy-two cents. Four other Congregational churches have, since the organization of this church, been formed within the territory it originally held, to all of which it has made liberal contributions, both of members and of funds.

A Sunday-school of eight hundred and fifty members is connected with the church; also a branch Sunday-school of nearly four hundred members, meeting on Market Street, corner of Twenty-second. The church has, from time to time, sustained other branch schools, which have either grown into churches, or been merged into other schools.

The Second Congregational Church of Oakland.—This church was organized on the 31st May, 1868, in the West Oakland School House. Previous to this organization a Sabbath-school had been held for some time in the school house, and a "Religious Society" had been formed, and preaching services had been conducted by Prof. Martin Kellogg, of the College of California. J. A. Folger, O. P. Treusdell, C. C. Fisher, H. G. McLean, and Dr. D. P. Fonda were the trustees of this religious society. On the 10th of May, 1868, this society was dissolved, and in its place the "Second Congregational Religious Society of Oakland" was formed, of which the same persons were elected Trustees. Soon after this measures were taken for purchasing a lot and building a church at the corner of Goss and Wood Streets. The church building and furnishing cost about two thousand dollars. It was dedicated in August, 1868. In 1874 another lot on Chase Street, the one now occupied by the church, was secured. The following year the old building was removed to the rear of this lot, and fitted up for a lecture-room; and a neat and commodious church edifice was erected at a cost for building and furniture of eleven thousand dollars. It was dedicated December 26, 1875. In November, 1882, there was a remaining indebtedness of three thousand dollars on the property, which indebtedness was at

that time entirely covered by reliable subscriptions to be paid within one year from that date.

The church at its organization was composed of nine members. The entire number received into the church is two hundred and ten. The present membership is about ninety.

The Rev. Eli Corwin, the first pastor, entered on his duties in November, 1868, and resigned in December, 1869. After him the following persons have successively ministered to the church: Rev. D. B. Gray, from January, 1870, to October, 1873; Rev. C. H. Pope, from May, 1874, to January, 1877; Rev. W. L. Jones, from April, 1877, to July, 1878; Rev. J. T. Wills, from July, 1878, to July, 1880; Rev. John Kimball, from October, 1880, to June 1882. The present pastor, Rev. Walter Frear, began his services with the church August 1. 1882.

The present deacons of the church are: L. P. Collins, J. Hoag, and J. Jewett. The Trustees are: George E. Bugbee, J. Hoag, F. C. Marston, M. B. Smith, and L. P. Collins. The Sabbath-school, of which E. E. Walcott is Superintendent, has a membership of two hundred and fifty.

Plymouth Avenue Church, Oakland.—In the Spring of 1871, the Trustees of the First Congregational Religious Society of Oakland, for the sake of aiding the Pacific Theological Seminary in purchasing the present site and buildings of that Institution, and for the sake of preparing the way for planting a Congregational Church for the northern part of the city, secured the four lots on the northeast corner of Plymouth Avenue and Elm Street. In the Spring of 1873, on request of twenty-six persons residing in the neighborhood, the Trustees voted to expend five thousand dollars for the construction of a chapel, provided the First Congregational Church approved of the undertaking. June 4, 1873, the church voted its approval. The building was erected under the direction of W. K. Rowell, W. M. Boyd, and I. W. Knox committee appointed by the Trustees.

It was at first intended that the congregation should be gathered as a branch of the First Church. But as the way seemed not very clear to this course, permission was obtained of the Legislature of California for the transfer of the property to a distinct corporation.

Accordingly, on January 28, 1874, at a meeting held at the house of W. K. Rowell, it was resolved to organize the Plymouth Avenue Church, and Directors were chosen. The building was dedicated March 1, 1874: sermon by Rev. J. K. McLean; the other exercises were conducted by Professors Mooar and Benton. The entire cost of the building was \$6,229.29; of the upholstering and other furnishing, \$1,265.30. Regular services were commenced forthwith. The church was formally constituted and recognized as in fellowship with other churches by a council, April 9, 1874, the recognized membership numbering thirty-eight. Dr. A. L. Stone preached the sermon; Rev. W. C. Pond offered the constituting prayer; Rev. J. K. McLean gave the fellowship of the churches; Revs. T. G. Thurston and J. T. Wills also participating.

At the beginning of services the Revs. George Mooar, D. D., and Joseph A. Benton, D. D., were invited to supply the pulpit, and the former to perform the pastoral service of the congregation. The first deacons of the church were, W. K. Rowell,

Amasa Pratt, Charles F. Whitton, Abel Whitton; and the directors: W. M. Boyd, W. K. Rowell, W. H. Jordan, D. S. Sutton, W. H. Love, A. Pratt, S. F. Daniels, the Sunday-school being first placed under the superintendence of Amasa Pratt. The number of those received into the church at its constitution on April 9, 1874, was thirty-eight, which number was doubled in the following year, and since then the membership and attendance have considerably increased.

German Methodist Episcopal Church.—From about the year 1868 to 1872 the preachers of the German Methodist Episcopal Churches of San Francisco felt it their duty to come over to Oakland on Sabbath afternoons, in order to preach the gospel to the German inhabitants of this city. In the year 1882 the Rev. Hermann Brueck was sent here by the authorities of the Methodist Episcopal Church, and Oakland and vicinity was taken up as a regular mission field. Mr. Brueck commenced holding meetings in the Congregational Chapel on Second Street between Broadway and Washington Street, where a few members were gathered, and a Sunday-school instituted, which was attended by about twenty-five children. This place being rather on one side, and out of the way for many of the congregation, the hall of the Knights of Pythias was rented for a short time and there the congregations were better, and the Sunday-school rose to the number of about forty-five children. At the annual Conference of 1874, Rev. H. Brueck was removed to another field of labor and Rev. Frederick Bonn took charge of the church at Oakland. During his term of service, the First Methodist Episcopal Church at the corner of Ninth and Washington Streets concluded to sell their house of worship, in order to build a new church at the corner of Fourteenth and Clay Streets, and offered it to the Germans for five hundred dollars, reserving the seats. A Board of Trustees, consisting of Messrs. August Kaese, Christian Rode, Philipp Fuchs, I. Rouse, and Charles Ska was formed according to the discipline of the Methodist Episcopal Church and the law of this State, and that church edifice was bought. A lot on Seventeenth Street, near San Pablo Avenue, was bought for the sum of \$3,500, and the church was moved to that place.

The expenses for moving, repairing, and putting in new seats, amounted to \$2,000.

A parsonage was afterwards secured, moved to one side of the church and repaired, which added another \$1,200; the whole costing now \$7,200. Of this amount the sum of \$2,200 was raised among themselves, and \$5,000 secured by mortgage. At the annual Conference of 1876, Rev. H. Brueck was sent back again for one year. Then the Rev. C. H. Afflerbach took his place. During his administration \$2,000 were raised among the members and paid on the mortgage, so that at this time there is a debt of \$3,200 resting on the church property.

A Pastor's Aid Society consisting of the ladies of the church and outside friends was formed, which still meets once a month for mutual spiritual edification, and for contributing money for helping poor members and for other purposes.

Rev. R. Steinbach followed the Rev. C. H. Afflerbach at the annual Conference of 1880, and remained in charge until September, 1882, when the present incumbent, Rev. C. A. E. Hertel was appointed to the charge. The number of members now is twenty-nine; probationers, four. The benevolences of the church are considerable.

The average attendance of hearers on Sunday morning is fifty-five. The Sunday-school has an efficient corps of teachers under the superintendency of Mr. Ph. Fuchs. The church, according to Methodist usage, holds to total abstinence from all intoxicating drinks. It is growing in influence and numbers. The church is located on Seventeenth Street, near San Pablo Avenue.

Methodist Episcopal Church (South).—In the month of March, 1881, Bishop H. H. Kavanaugh appointed Rev. W. H. Layson to visit Oakland to spy out the land, and found that there never had been any organization of this church in that city, although there were a few whilom members there resident, but so little was the interest taken in the matter that it was not thought even advisable to rent a hall wherein to make a trial. Mr. Layson, however, was not to be thus easily deterred, he therefore personally secured Camron Hall, commenced services and soon secured a regular attendance of about one hundred persons. Eleven names were enrolled, and soon followed this lead. The hall of the Odd Fellows, at the corner of Eleventh and Franklin Streets, was permanently secured and in it services were regularly held, and the congregations grew numerically and substantially. Within six months the membership approximated to sixty persons, there being nine on the baptismal-roll. Monthly socials were inaugurated with about ninety in attendance, there was a full and efficient choir, while the ladies had a useful and energetic sewing union. A Sunday-school, to meet before service, was organized with a membership of about fifty, while the attendance had increased from one hundred to three hundred persons. In the latter part of December, 1881, Mr. Layson retired from the church and was succeeded by Rev. J. C. Simmons.

Seventh-day Adventist Church.—As the name indicates, the distinctive features of this body of Christians are the keeping of the seventh-day Sabbath, "according to the commandment," as also the doctrine of the early advent of the Lord to judge the world—although no time is fixed for that event. They acknowledge no creed but the Bible, and inscribe upon their banner, "The commandments of God, and the faith of Jesus Christ." They totally abstain from every form of intoxicating beverage, and disfellowship the use of tobacco. They teach abstinence from tea and coffee as a doctrine of health reform, but do not make it compulsory upon members.

The first movement of any prominence by this sect in Oakland, was in April, 1874, when a large tent was pitched at the corner of Broadway and Thirteenth Street, and a series of meetings held. These meetings were conducted by Eld. James White, his wife, Mrs. Ellen G. White, Eld. J. N. Loughborough, and other ministers of the faith—all of whom had but recently come from the East. As a result of this effort, about thirty persons were baptized, which, added to a few individuals who had before embraced this faith, formed the nucleus of the present church. This company rented a hall at the corner of Broadway and Twelfth Streets, and continued to hold regular meetings, and were represented in the State Conference the following September.

It was not, however, until May 16, 1875, that a permanent organization was effected. At a meeting held for this purpose on that date, Eld. J. N. Loughborough

presided, and explained fully the doctrines of the church and the requirements from its members. Thirty-nine names were attached to the "covenant," and the following officers were chosen: Elder, D. B. Rickey; Deacon, John I. Tay; Clerk, George Manuel. During the remainder of the year 1875, sixteen more members were added to the church-roll, and early in January, 1876, a movement was started by the State Conference to secure a suitable location for a house of worship. After careful canvassing, the very desirable northeast corner of Clay and Thirteenth Streets was selected, and purchased at a cost of four thousand dollars. Here a neat and commodious building was erected, costing about twelve thousand dollars.

On the 6th day of April, 1876, the legal incorporation of the society was effected, under the name of the Seventh-day Adventist Church of Oakland, and a code of by-laws adopted. The first Board of Trustees was composed of the following persons: D. B. Rickey, President; George Manuel, Secretary; G. A. Baker, Treasurer; John I. Tay and W. C. White. The present Board (1883) consists of W. C. White, President; W. N. Glenn, Secretary; John I. Tay, Treasurer; E. J. Waggoner, and G. A. Baker.

The first Pastor of the church was Eld. J. N. Loughborough, who held the position until 1879, since which time Eld. J. H. Waggoner has very acceptably discharged the duties. The officers of the church for 1883 are: J. H. Waggoner, Pastor; C. H. Jones and E. J. Waggoner, Elders; John I. Tay and W. N. Glenn, Deacons; J. B. Leavitt, Clerk. The membership at this writing is one hundred and eighty. One of the first acts of the society was the organization of a Sabbath-school, which has been maintained with a good degree of success, having a well-selected library. The school has a membership of one hundred and seventy. There are five divisions, and twenty-seven classes. The present officers are: C. H. Jones, Superintendent, and E. J. Waggoner, Assistant; Miss Emma Boyd, Secretary, with Miss Alice Morrison, Assistant; and V. M. Donaldson, Librarian.

CENTRAL MISSION SUNDAY SCHOOL.—One Sunday morning early in January, 1876, while walking through Sixth Street, W. R. Bentley was attracted by the number of children playing at the corners and in the vacant lots, many of whom were old enough to be members of Sunday-schools. He learned that some attended schools while others were allowed to remain at home and pass the time as they felt disposed, with little or no religious influences around them.

The impression that there was an opportunity to organize a school that should call to its support earnest Christian men and women, who could go out among people and invite all who were not engaged, to come in and work, so possessed him that he resolved (God helping) to undertake it.

The subject was mentioned to B. S. Tower and others, all of whom thought it would be a noble undertaking. Some promised pecuniary aid, while others said they would come and labor.

After having the matter under advisement during all of February, and finding many friends of such a move among the residents of the southern part of the city, arrangements were made with Mr. Sagehorn, for the use of the Academy of Music, on Sixth Street, for one year, at four dollars each Sunday.

The first regular session was held Sunday afternoon at half past two o'clock,

March 19, 1876. There were present twenty-six children and twenty visitors and friends. All left the session fully impressed that a glorious work had been undertaken.

The early officers were: William R. Bentley, Superintendent; Benjamin S. Tower, Assistant Superintendent; Fred. C. Miles, Secretary; Theodore O. Gladding, Librarian; Miss Ella Bradway, Treasurer; Miss Fannie Betancue, Collector and Pianist.

January 13, 1878, the school moved to Pythian Hall, on Broadway, caused by a notice from Mr. Sagehorn that the Academy of Music was to be turned into a Tivoli Garden. These parties failing, the school moved back to the Academy of Music, March 10, 1878. June 16, 1878, Mr. and Mrs. Brooks donated to the school library twenty-five books. During April, 1879, Mr. Edmund Pugh was chosen Musical Director of the organization. Thursday, January 1, 1880, the school held at the hall a New-year's tea-party. A large number were present, who seemed to enjoy themselves.

March 7, 1880, the Sabbath-school moved to Camron Hall, then on Fourteenth Street, as the seats were more conveniently arranged. January 9, 1881, Mr. and Mrs. Stebbins (who were with Mr. Moody, the Evangelist) visited the school, and sang a few selections.

August 28, 1881, the school moved to the parlors over the Independent Church, corner of Thirteenth and Jefferson Streets, on account of Camron Hall being turned into an opera garden.

It was thought best, as the Young Men's Christian Association and the school were both undenominational bodies, to unite the two; this change was made Sunday, May 24, 1882, and the school is now a part of the Young Men's Christian Association of Oakland. The resignation of Mr. Pugh, Musical Director, was accepted July 9, 1882. The school owes a great portion of its success to him, as he has spent many days laboring for the "School Gatherings," which brought many a dollar to the school, without a cent in his pocket. Yes, he even often paid out money in the interest of the school.

The school meets at 865 Broadway each Sabbath afternoon, at half past two o'clock. Attendance on the increase. The officers for 1883 are as follows: B. S. Tower, Superintendent; Dr. C. S. Lane, Assistant Superintendent; R. S. Gladding, Secretary; J. C. Estey, Treasurer; Fred. Lane, Librarian; Miss Mamie Tower, Pianist; Miss Hattie Carson, Assistant Pianist.

YOUNG MEN'S CHRISTIAN ASSOCIATION.—The Young Men's Christian Association of Oakland was organized July 24, 1879, in the First Presbyterian Church, with A. A. Dewing as President. It soon secured a room located at the corner of Eleventh and Washington Streets, at a cost of ten dollars per month, and held meetings on Tuesday evening and Sunday afternoon, until August 13th, when they were compelled to move to other quarters. A room was secured at Medical College Hall, at a cost of fifteen dollars a month, and was occupied until June 1, 1881, when they moved to a store under the Masonic Temple, at the corner of Twelfth and Washington Streets. They then began to realize their need of a General Secretary, in order that the work might be carried on successfully. Several gentlemen in the East were written to, but none of them consented to come. They then found that if a General Secretary was

secured it must be from their own State. E. S. Fowler, of San Francisco, was accordingly called to fill the position December 20, 1881, and entered upon his duties January 1, 1882.

Prominent business men were interested in the work, and were appointed as members of the Board of Directors, fourteen in number. They were divided into four committees, as follows: Financial, Library and Rooms, Lecture and Entertainment, and Publication; and proceeded immediately to make arrangements for more commodious quarters, as the rooms they were occupying were not large enough to accommodate those who came.

The upper part of a large building on Broadway, between Seventh and Eighth Streets, in the center of the city, was rented for fifty dollars per month, and fitted up at a cost of about seven hundred dollars, which made it pleasant and attractive. The audience-room will seat comfortably about four hundred people. The reading-room is well supplied with reading-matter, is cheerful and attractive, and adjoins the office, which is also the library, and contains nearly one thousand well-selected books.

The Association is now conducting twelve religious meetings each week, with wonderful success, among which is a noonday meeting that has been the means of doing very much good.

Reading-room.—Rooms open from 8 A. M. to 10 P. M.; Sundays from 9 to 10:30 A. M.; 12:30 to 7:15. Young men are cordially invited to visit the rooms during their leisure hours, day or evening. The General Secretary may be found at the rooms at all hours, willing to give advice and assistance to young men in need of friendly aid.

Parlors Open Day and Evening.—For social intercourse. It offers free to every young man, Reading and conversational rooms, writing material, directory of good boarding-houses, visitation in sickness, aid in obtaining employment, social companionship, course of free lectures. All young men are invited. Strangers are especially welcome. Any young man of good moral character may obtain an annual ticket for two dollars, ladies same price. For membership, or further information, apply to the General Secretary, at the rooms, 865 Broadway.

Stated Meetings.—Daily, 12:00 to 12:45, Noonday Prayer-meeting; Sunday, 10 A. M., City Prison Service; Sunday, 2 P. M., County Jail Service; Sunday, 2:30 P. M., Mission Sunday-school; Sunday, 4:30 P. M., Gospel Meeting for all; Sunday, 5:30 P. M., Young Men's Meeting; Monday, monthly meeting of the Association—second Monday each month; Tuesday, 7:30 P. M., Young People's Meeting; Friday, 7:30 P. M., Song Services, Concert, Lectures, etc.; Saturday, 7:45 P. M., Young Men's Meeting; Sunday, 4:30 P. M., Odd Fellow's Hall, East Oakland, Branch Gospel Meeting; Boys' Meeting, 13th of each month.

The Association publishes a monthly journal by the name of *The Bulletin*, circulating two thousand copies.

Educational classes are held during the winter months; also, a course of medical talks, given by prominent physicians. Altogether, the association is in a most prosperous condition, and is looking forward to a great harvest for the Master during the coming months.

Officers for 1883.—President, J. M. Buffington; First Vice-President, David E.

Collins; Second Vice-President, C. W. Dearborn; General Secretary, E. S. Fowler; Clerk, C. E. Cornell; Treasurer, Dr. J. Fearn; Auditor, A. J. Ralston; Directors, Geo. T. Hawley, A. J. Ralston, J. L. de Fremery, C. W. Kinsey, R. W. Snow, C. S. Lane, R. Whitmon, Chas. H. Fish, David McClure, Jr., J. M. Buffington, David E. Collins, Geo. H. Collins, C. W. Armes, D. H. Potter, J. L. Lyon, J. G. Hoyt, E. W. Playter, W. H. Rouse, Dr. J. Fearn, C. W. Dearborn, C. F. Baker, G. T. Walker, J. C. Adriance, C. A. Bailey, H. Garthwaite, Dr. J. S. Adams, Wm. Verbeck, W. F. Curtis.

Committees of the Board. —Finance Committee—Geo. H. Collins, Geo. T. Hawley, C. W. Kinsey, A. J. Ralston, J. L. de Fremery, D. H. Potter, E. W. Playter, Dr. J. S. Adams, Chas. H. Fish; Library and Room Committee—C. W. Dearborn, G. T. Walker, J. C. Adriance, H. Garthwaite, W. F. Curtis, C. S. Lane; Lecture and Entertainment Committee—C. W. Armes, David E. Collins, Dr. J. Fearn, Wm. Verbeck, C. F. Baker; Publication Committee—C. A. Bailey, R. W. Snow, R. Whitmon, J. G. Hoyt, J. L. Lyon, W. H. Rouse.

Committees of the Association.—Devotional Committee—D. E. Collins, C. A. Bailey, C. E. Cornell, Myron T. Holcomb, Chas. F. Baker; Reception Committee—G. H. Merrill, A. A. Dennison, Robert Swartwout, Cary Howard, G. W. Lane; Membership Committee—J. C. Adriance, J. C. Hill, Wm. Verbeck, W. F. Lange, R. Blackwood; Visitation of Sick Committee—Geo. W. Waggoner, W. S. Dryden, L. Caldwell, N. R. Turner, J. W. Welch; Employment Committee—D. H. Porter, J. R. Sumner, W. W. S. Merriam.

Past Presidents.—A. A. Dewing, 1879; F. S. Page, 1879–80; S. I. Merrill, 1880–81; Dr. C. S. Lane, 1881–82.

SCHOOLS. —The College School, College of California, and University of California are mentioned in connection with each other, because the College of California grew from the College School, and the State University* is the full development of the College of California. Each institution marks an era in the progress of the cause of education in the county.

A correspondence was commenced among some of those who subsequently became trustees, on the possibility of founding a college in California, as early as the year 1849. Plans were laid at that time, but there was very little progress until the Spring of 1853. At that time the Rev. Henry Durant arrived, and a plan for opening a College School was matured at a meeting of the Presbytery of San Francisco and Congregational Association of California. A building which stood on the northeast corner of Broadway and Fifth Streets was rented, and school was opened by Mr. Durant. At first the school was exceedingly small, and for several years its growth was slow. Funds were raised by subscription, and the four squares now occupied by the College and College School were purchased. At this early day, the services rendered by the Rev. S. B. Bell, the Pastor of the Presbyterian Church, were of incalculable importance, and but for him Mr. Durant would have been unable to have continued in the enterprise upon which he had embarked.

The College of California was incorporated in April, 1855. The trustees entered upon their work with much energy, and frequently gave from their private funds for

* The history of the State University will be found elsewhere.

the support of the institution. In 1856 the Rev. Horace Bushnell was elected President. While having the matter under consideration, he gave a large portion of his time to a careful examination of the country around the bay of San Francisco, and the site finally chosen was in accordance with his preference. It may, therefore, be stated that the site for the University building, at Berkeley, is the best that can be found anywhere in close proximity to San Francisco, for the opinion of such a man as Doctor Bushnell, proved to be of more value than that of any number of commissioners acting under the authority of a legislature, and exposed to the numberless improper influences which would beset them.

The first Freshman Class was admitted in the summer of 1860. A small college building was erected, and a college faculty chosen. To meet the increased expenses renewed exertions were made and sufficient funds were obtained. In March, 1862, Rev. S. H. Willey was elected Vice-President of the College. A larger building was erected, and a fund was raised for the endowment of the Presidency. Efforts were made to secure the services of some suitable person from the East, to act as President, but without success, therefore Mr. Willey was continued as Vice-President to administer the affairs of the institution. The first class admitted graduated in June, 1864.

As stated above, Rev. Henry Durant was Principal of the College School from 1853 to 1860. He was succeeded by Rev. I. H. Brayton, who, for eight years, enjoyed the assistance of F. M. Campbell, A. M., lately the State Superintendent of Public Instruction, and Rev. E. G. Beckwith. In 1865 the Trustees of the College ceased to retain proprietary control of the College School, though continuing to exercise supervisory oversight, and stipulating that the original purposes in its establishment should be adhered to. In its day it was acknowledged to be the largest institution of its class upon the Pacific Coast. Its property was estimated at one hundred thousand dollars.

Public Schools.—The "Athens of the Pacific" has just cause to feel pride in her institutions of learning, for nowhere in the world has better provision for the education of the young been made. The information which we are about to place before the reader has been gathered from the Report of the Superintendent of Public Schools to the Board of Education of the city of Oakland for the school year ending June 30, 1881, an elaborate document containing a vast amount of interesting information, but which we have not the space to reproduce in its entirety.

The total population of the city according to the census of 1880, was thirty-four thousand four hundred and fifty-six. A comparison with the census of 1870, when the population was stated at ten thousand five hundred, shows the city to have more than tripled itself in the last ten years. On June 30, 1881, we find, from the School Census Marshal's report, there were twelve thousand one hundred and eighty-five children under the age of seventeen years, of whom there were eight thousand two hundred and forty-two in the seven wards of the city between the ages of five and seventeen years. Of these five thousand nine hundred and sixteen attended the public schools, seven hundred and eighty-one private schools, and one thousand five hundred and forty-five attended no school at all. This last item, however, is misleading, from the

fact that the census enumeration includes all children between the ages of five and seventeen, while pupils are not admitted to the city schools until six years of age.

Many parents do not send their children to school until seven, eight, and nine years of age; and numerous boys who have completed the whole, or a greater portion of the course of study prescribed for the Primary and Grammar Schools are put to work at from thirteen to sixteen years, so that fifteen hundred and forty-five does not represent the number who have never attended school, but those who, from whatever cause, have not attended school during the year. The unusually large number of excellent private schools in the city affords increased facilities for educational purposes, and the number of children whose names do not appear upon the rolls of some one of the schools is exceedingly small.

The following comparative table of school statistics, shows the condition of the schools and the growth of the department from the organization of the first class in July, 1853, to the year 1881. Some of the records containing the early statistics of the schools have been destroyed, so that no complete report can be obtained, but the table is sufficiently clear to show the rapid growth of the city and School Department, and the provision that has been made for the education of the children:—

TABLE
SHOWING GROWTH OF THE DEPARTMENT.

Fiscal Year Ending June 30th.	Total No. of Census Children.*	No. of Children who have Attended Private School only during the Year.	Total No. Enrolled, duplicate Enrollment	Average Number Belonging.	Average Daily Attendance.	Number of Regular Teachers.	Average No. Pupils per Teacher, based on Average No. Belonging.
1854.....					16	1	
1855.....	155		144		59	2	
1856.....	136		91		54	2	
1857.....	189	No	54	No	35.5	1	
1858.....			90		27	1	
1859.....		Record.	84	Record.	45.7	1	
1860.....	391		130		58	2	
1861.....	416		142		57	1	
1862.....	481		175		62	2	
1863.....	475	193	130	85	75	2	42.5
1864.....	626	276	217	93	85	2	46.5
1865.....	771	288	333	159	140	3	53
1866.....	701	218	332	209	189	5	41.8
1867.....	925	313	687	355	311	6	59.16
1868.....	1038	319	749	530	471	10	53
1869.....	1328	357	1057	674	613	15	44.93
1870.....	1617	417	1410	790	735	19	41.58
1871.....	1792	336				28	
1872.....	2417	271	1580	1419	1327	33	43
1873.....	3006	343	2118	1789	1692	51	35.08
1874.....	3953	400	2679	2234	2118	54	41.37
1875.....	4749	407	2985	2679	2503	62	43.06
1876.....	5742	469	3732	3212	3120	64	50.18
1877.....	6592	642	4066	3630	3477	78	46.54
1878.....	6670	668	5080	4240	4119	95	44.03
1879.....	7950	733	5952	4836	4599	112	43.21
1880.....	8108	795	6125	5281	4983	127	41.58
1881.....	8242	781	7262	5461.56	5237.80	133	41.06

* From the organization of the first public school in this city in July, 1853, to July, 1865, the census enumeration included children between the ages of four and eighteen. From July, 1865, to July, 1873, from five to fifteen, and from that date to the present, from five to seventeen.

The following table exhibits the names of school buildings, their location and capacity, the size of school lots and estimated value of school property:—

TABLE

SHOWING NAME, LOCATION, AND CAPACITY OF BUILDINGS, AND ESTIMATED VALUE OF SCHOOL PROPERTY.

NAME OF SCHOOL.	LOCATION.	Size of Lot	Number of Rooms	No. of Sittings.	Value of Lot.	Value of Building	Value of Furniture, Apparatus and Libraries.	Total Value.
High	Corner 12th and Market Streets..	271x150	16	709	\$10,700	\$33,000	\$7,000	\$50,700
Prescott.....	Campbell Street, bet. Seward and Taylor.....	270x140	19	927	7,600	23,500	4,500	35,600
Cole.....	10th St., bet. Union and Poplar..	230x193.9	14	822	8,925	32,500	4,000	45,425
Tompkins.....	5th St., bet. Chestnut and Linden	250x120	12	589	4,800	20,000	3,000	27,800
Lincoln.....	Alice Street, bet. 10th and 11th..	200x175	15	729	16,000	26,000	4,000	46,000
Durant.....	28th St., bet. Grove and West...	250x280	15	690	5,000	29,500	3,700	38,200
Franklin.....	10th Ave., bet. East 15th and East 16th Sts.....	300x300	12	623	12,000	23,000	3,000	38,000
Lafayette.....	Jefferson St., bet. 11th and 12th..	300x200	12	634	28,000	12,000	3,000	43,000
Grove Street.....	Grove Street, between 4th and 5th	200x100	4	201	6,500	3,000	1,000	10,500
Harrison Street.....	Corner Harrison and 6th Streets..	On Plaza	3	145	9,000	2,000	600	11,600
Swett	E. 20th St., bet. 12th & 13th Aves.	300x300	4	200	5,000	5,000	800	10,800
Court House.....	Cor. E. 14th St. and 20th Ave.....		1	45	Rented.	Rented.	100	100
+Lynn.....	Lynn		1	25	"	"	100	100
Broadway & 25th St.	Corner Broadway and 25th Streets		1	60	"	"	80	80
Plymouth Avenue..	Cor. Elm St. and Plymouth Aves.		1	48	"	"	150	150
Watts' Tract.....	Corner Magnolia and 32d Streets..	400x133.3	1	40	2,400	"	70	2,470
‡ Evening.....	9th St., bet. Washington and Clay		2	60	Rented.	"		
	Corner 17th and West Streets ..	90x155.7½			3,200	Unimp'd		3,200
Carpenter Shop....	E. 14th St., bet. 10th & 11th Aves.	50x140			1,100			1,100
Totals			133	6547	\$120,225	\$209,500	\$35,100	\$364,825

NOTE.—When erected: High, 1870; Prescott, 1869; Cole, 1877; Tompkins, 1877; Lincoln, 1872; Durant, 1874; Franklin, 1875; Lafayette, 1862; Grove Street, 1869; Harrison Street, 1865.

+ Discontinued, April 30, 1881.

‡ Removed to High School Building, May 1, 1881.

The High School, which is the head of the Public School Department of this city, has long been the pride of the citizens of Oakland. Its rank among the foremost educational institutions on this coast, entitles it to the high esteem of the public, and the liberal support it has always received. It needs no praise from us, but is able to stand upon its own merits and sustain the enviable reputation it has achieved.

The Oakland High School was organized July 12, 1869, with twenty-nine pupils. The curriculum adopted provided a liberal course in natural science, mathematics, literature, and language, requiring three years for its completion. For the first two years the classes were accommodated in connection with a grammar school, but at the commencement of the third year they were moved to the commodious building situated at the corner of Central Avenue and Market Street. At first but one teacher was employed; now there are nine.

The following table shows the total number in attendance, the number graduating, and the number entering college for each year, from the organization of the school. As the examinations for admission in 1881 are not concluded at the writing of this report, it is impossible to give the number entering college that year:—

STATISTICAL TABLE.

YEARS.	NUMBER ATTENDING.			NUMBER GRADUATING.			NUMBER ENTERING COLLEGE OR UNIVERSITY.		
	Boys.	Girls.	Totals.	Boys.	Girls.	Totals.	Boys.	Girls.	Totals.
1869-70....	18	22	40						
1870-71....	14	21	35						
1871-72....	28	47	75	5	10	15	4	3	7
1872-73....	40	59	99	1	5	6	2		2
1873-74....	39	73	112	3	11	14	3	2	5
1874-75....	50	80	130	5	12	17	4	3	7
1875-76....	67	79	146	7	18	25	3	2	5
1876-77....	66	117	183	3	10	13	2		2
1877-78....	81	167	248	6	14	20	3	2	5
1878-79....	111	177	288	10	20	30	5	5	10
1879-80....	126	202	328	13	33	46	3	2	5
1880-81....	139	213	352	20	35	55			

In addition to those entering the University after graduation, as stated in the above table, quite a number have entered each year from the lower classes. This was possible a few years ago, when the requirements for admission were less stringent than they are at the present time.

An evening school was opened in a rented building on Ninth Street, between Washington and Clay Streets, on November 8, 1880, with a class of twenty. It increased in numbers during the winter until the average number belonging reached sixty-five, when another class was formed. The attendance in the Spring fell off, and the two classes were consolidated. During the school year ending June, 1880, the total number enrolled was one hundred and fifty-four; of these one hundred and forty-five were males and nine females. Their average age was about eighteen, ranging from twelve up to middle age.

The subjects taught are arithmetic, spelling, writing, reading, book-keeping and grammar. All study spelling; nearly all arithmetic; many writing and book-keeping; some reading, and a few grammar. The progress made by those who have attended regularly for some length of time has been very satisfactory. The Evening School pupils, as a class, are a hard-working, well-behaved set of boys. They are not as regular in attendance as pupils of the day schools, and for several reasons. Many of them are employed in San Francisco, and often do not get through with their work in time to get to the school. They are sometimes too tired to go the distance required, as by far the largest part of those attending live at the extreme limits of the city. Some of them are kept at work so late in the evening that for weeks at a time they cannot attend at all. A very few will absent themselves for slight reasons, and in the case of such boys, it would be well if their parents were to visit the school sometimes. But, as a whole, I think the boys of the Evening School, both in their conduct and their desire to learn, are worthy of much praise. They appreciate the opportunity afforded them, and are grateful for every assistance; and it is with pleasure that we testify to their general good behavior. There should be no necessity of advocating the importance of an evening school for those who have no opportunity to attend the day schools. A most valuable education may be obtained through and by its means.

The school was removed to the High School building May 1, 1881. This change of position saved to the department the cost of renting the building on Ninth Street, and furnished, in many respects, better accommodations. The building is not conveniently, though centrally, located. It is in a neighborhood that does not furnish many pupils for the Evening School. Nearly all of those who attend come from great distances. The residences of Oakland are scattered over a great extent of territory, and no place can probably be found that would prove more *convenient* for more than one locality. It will probably not be long before separate classes might be sustained in West Oakland, East Oakland, and North Oakland.

Vocal music is taught in all the Public Schools of Oakland, from the lowest to the highest grade, not introduced merely for the purpose of affording an agreeable exercise by means of which the tedium of the regular school work may be relieved, or that an accomplishment may be added to the acquirements of the pupils who study it, but on account of the place the study holds in the economy of a public school education.

In concluding the report of the City Superintendent, from which our remarks have been gathered, that official says:—

“The progress and efficiency of our schools ought not to be measured merely by the changes that have from time to time been introduced, but by observing the relations that exist between the actual condition of our schools and the educational wants of the city which they are designed to supply.

“During the year just ended, only such changes have been introduced as were felt to be actual wants, and necessary to the welfare of the schools. The revision of the course of study was a necessity on account of the adoption of new text-books, which in themselves, have in some instances, suggested new methods for the presentation of the subjects. I am of the opinion that the discontinuance of the study of Descriptive and Political Geography at the end of the Third Grade Course, and of the introduction of Physical Geography in the Second Grade were mistakes which the experience of a few years will demonstrate. The introduction of the study of book-keeping, and business forms, was made necessary by the amendment to the School Law, which requires book-keeping to be taught in all grammar schools. This study will doubtless prove beneficial to our schools, if the attempt is not made to carry the study too far. The success of our schools, however, has not depended so much upon a perfect course of study as upon an efficient corps of principals and teachers. A good course of study, well-selected text-books, and competent supervision are valuable aids, and necessary to entire success in any school department, but without good teachers all other agencies will fail to produce efficient schools. In asserting that the *personnel* of the teaching force of the Oakland public school department is second to that of no other city, we are sure that the facts will warrant the statement.

The favorable location of our city, and the advantages it offers of climate, society, means of improvement, and a measurable adequate compensation for service rendered, have not failed to attract to our city teachers of the highest culture, large experience, and unquestionable merit. The Board has wisely profited by these advantages, and has by judicious selections, gathered into its department a corps of teachers of which any city might justly feel proud.

In concluding these remarks we append a table of expenditures for the fiscal year ending June 30, 1881, which may be taken as an average of expenses:—

TABLE
OF EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 1881.

MONTHS.	AMOUNT.	PERMANENT.			TUITION.		CONTINGENT EXPENSES.				
		Building and Real Estate.	Furniture.	Apparatus and Libraries.	Salary of Superintendent.	Salaries of Teachers.	Salary of Assistant to Superintendent.	Board of Examination.	Salaries of Janitors.	Salary of Dependent, Mechanic and Helper.	Rents.
1880.											
July	\$ 12,703.77	\$ 23.57	\$	\$	\$ 200	\$ 10,232.25	\$ 75	\$	\$ 707.50	\$ 83.33	\$ 111.00
August	12,198.04	.. . . .	.. . . .	.. . . .	200	10,322.69	75	.. . . .	707.50	83.33	111.00
September	12,578.73	.. . . .	17.40	3.85	200	10,285.87	75	100	707.50	83.33	111.00
October	12,343.12	.. . . .	50.70	51.50	200	10,281.74	75	.. . . .	707.50	83.33	111.00
November	12,869.35	.. . . .	.. . . .	41.30	200	10,381.20	75	.. . . .	722.50	83.33	111.00
December	12,613.85	.. . . .	28.60	.. . . .	200	10,455.90	75	100	727.50	108.33	157.40
1881.											
January	14,687.25	.. . . .	.. . . .	13.00	200	10,660.16	75	.. . . .	722.50	133.33	161.00
February	16,190.91	2,850.00	117.50	64.05	200	10,749.15	75	.. . . .	732.50	133.33	135.00
March	12,201.26	1,500.00	32.50	20.00	200	10,665.31	75	100	727.50	133.33	135.00
April	12,531.99	.. . . .	4.80	2.80	200	10,749.70	75	.. . . .	727.50	133.33	135.00
May	23,324.89	.. . . .	.. . . .	.. . . .	200	21,517.91	75	.. . . .	717.50	133.33	95.00
June	2,210.61	.. . . .	.. . . .	.. . . .	200	70.00	75	100	717.50	133.33	95.00
Totals.	\$160,453.74	\$4,373.57	\$251.50	\$196.50	\$2,400	\$126,371.88	\$900	\$400	\$8,625.00	\$1,324.96	\$1,468.40

TABLE
OF EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 1881.—Continued.

INCIDENTAL OR CONTINGENT EXPENSES.											
MONTHS.	Gas.	Water.	Fuel.	Repairs.	Lumber and Hardware.	Books for Indigent.	Stationery and other Supplies.	Printing.	Advertising.	Insurance.	Miscellaneous.
1880.											
July	\$	\$ 70	\$	\$ 673.76	\$ 293.00	\$	\$ 53.03	\$	\$172.60	\$	32.30
August . . . . .	.. . . .	70	.. . . .	286.18	195.22	.. . . .	55.85	.. . . .	56.90	.. . . .	9.80
September . . . . .	.. . . .	70	154.25	30.75	102.22	265.00	273.26	73.35	19.20	.. . . .	6.75
October	12.20	70	.. . . .	121.80	146.09	23.37	376.99	23.25	.. . . .	.. . . .	8.65
November . . . . .	.. . . .	70	.. . . .	119.75	13.48	12.65	146.20	303.00	18.30	530.24	41.40
December . . . . .	.. . . .	70	121.12	337.75	188.20	.. . . .	15.95	11.50	.. . . .	.. . . .	16.60
1881.											
January	12.90	70	495.75	92.00	207.69	5.53	241.50	15.25	.. . . .	1,461.64	120.00
February . . . . .	.. . . .	70	.. . . .	21.45	.. . . .	101.50	413.07	.. . . .	.. . . .	513.75	14.55
March . . . . .	.. . . .	70	836.00	618.20	127.50	7.18	90.90	30.15	13.60	801.65	17.35
April . . . . .	.. . . .	70	170.50	29.65	68.09	4.39	139.20	.. . . .	.. . . .	.. . . .	22.00
May . . . . .	.. . . .	70	69.50	197.47	82.38	3.30	100.30	19.00	.. . . .	.. . . .	44.20
June	20.40	70	52.00	106.79	.. . . .	.. . . .	68.24	.. . . .	.. . . .	.. . . .	90.25
Totals.	\$45.50	\$840	\$1,899.12	\$2,635.55	\$1,424.87	\$422.98	\$1,974.58	\$475.50	\$280.60	\$3,307.28	\$835.95

* Census Marshal.

Pacific Theological Seminary.—This institution was founded in 1869, in San Francisco. The buildings erected by the Female College of the Pacific, on Academy Hill, were purchased by the seminary, and possession taken in June, 1871, at which time the regular exercises of this seminary were commenced. The regular course of study extends over three years, but there are courses adapted to two years or to one year. The seminary is under the auspices of the Congregational Church, but the course of study is not biased in favor of that denomination, some of the students belonging to other churches. The Rev. George Mooar is Professor of Theology.

California Military Academy.—The Rev. David McClure, Ph. D., who is the present Principal, founded this institution in January, 1865, as a private school. The superiority of his course of instruction, which combined military discipline with a full collegiate course of studies, was soon acknowledged, and so numerous were the applications for admission, that Dr. McClure consented to enlarge his establishment, employ assistants, and give the youth of the remote West an opportunity to acquire an education such as could otherwise be obtained only at West Point. The school at this time was located on Ninth Street, near Franklin, Oakland, to which a roomy addition was built the first year after the founding of the school. The number of cadets constantly increased, and in 1867 the present site of the Academy was purchased by Dr. McClure, and the following year the fine main building was finished, and the school removed thereto. In 1868 the armory, a two-story building, was erected, but a year later, in 1870, it was found to be insufficient for the accommodation of its increasing patrons, and another large building, three stories high, seventy-five feet by one hundred and fifty feet, was built, connected with the armory by a covered passage twenty feet wide. The first floor was used for recitation-rooms, and the two upper floors as dormitories for the cadets.

A destructive fire occurred on the 20th of September, 1873, which completely destroyed the elegant new building, the armory, barns, and other outhouses, inflicting a serious loss upon the proprietor, as the insurance upon the buildings burned was very small. The main building, upon which there was a heavy insurance, was saved intact.

Nothing daunted by this calamity, Dr. McClure immediately set to work to have the destroyed buildings rebuilt, the school in the mean time occupying the building then recently vacated by the State University, which was kindly placed at Dr. McClure's disposal by President Gilman, and no interruption to the regular course of studies occurred. Very soon the elegant new buildings, much larger and finer than the first, took the place of those destroyed, and in an incredibly short space of two months' time were finished, furnished, and ready for occupancy.

The location of the Academy buildings, three in number, three stories high, is on a beautiful eminence situated on Telegraph Avenue in the northern part of Oakland, and commands one of the most extensive and finest views of the surrounding country afforded in the limits of the city.

The bay and city of San Francisco, the several islands in the former, the Golden Gate, and a fine view of the ocean beyond, while Berkeley, Temescal, Alameda, Fruit

Vale, and nearly all the beautiful and extensive city is to be seen from its upper windows. The grounds are laid out in artistic design, and filled with a profusion of lovely flowers and shrubbery, including trees of choice selection, and as a whole the surroundings cannot fail to exert a salutary and ennobling effect upon the cadets whose mental and physical training is conducted under such favorable auspices. The proprietor has devoted his time and energy to the welfare and instruction of the cadets within the institution, without endeavoring to bring it into public notice in any other way than through the superior merits evidenced by the number and standing of its students.

The school occupies such an exclusive field that the general public would be the loser through the quiet unobtrusiveness with which it is conducted, rather than the institution itself for lack of patronage. Therefore we take pleasure in calling the attention to those who have the education of the young lads of to-day in hand to the merit of this unrivaled institution of learning.

The course of studies is of three classes: 1. Classical; 2. English and Scientific; 3. Business course. A preparatory department is provided for those who are not prepared to enter the academic course of study. The English and scientific and business courses are divided into four classes occupying four years; the classical embraces the advanced English course, Latin, Greek, French, German, Ancient Geography, and Mythology. This course prepares students for any university. The academic year is divided into two terms of twenty weeks each, beginning the third Monday in July and the first Monday in January.

Military Exercises and Discipline.—The physical condition of youth is regarded of so much importance as to require the study and the practical application, as far as possible, of the laws of health in the daily routine of school life. Military exercise, including light gymnastics, is a means to secure for students strength of body, vigor of constitution, and manliness of bearing. Its discipline will fit them for all departments of life which demand promptness, accuracy, presence of mind, ability to govern, energy, and endurance,

Admission.—The applicant is understood to intend to give cheerful and prompt obedience to proper authority, and to maintain a high standard of morals, and of polite intercourse with the instructors and cadets of the Academy. None but trustworthy students are desired.

Expenses.—Instruction in the English and Scientific Course, Book-keeping, Latin and Greek Languages, Board, Washing, Gas, and Fuel (payable in advance) \$180 per term of twenty weeks.

Extra Charges.—Piano, Drawing, Painting, French, German, and Spanish.

The Hopkins Academy.—This academy is situated on a commanding position between Broadway and Telegraph Avenue, and was formerly known as the Golden Gate Academy. By a donation to its funds from Moses Hopkins, of San Francisco; the institution was placed under its present name on a firm financial basis, enabling it to enlarge its sphere of usefulness. The teaching, although unsectarian, is under the supervision of the Congregational denomination. The Rev. H. E. Jewett, of Amherst College, is the Principal, who is aided by a very efficient force of tutors.



M. F. Silva

Sackett School.—This institution was established in July, 1879, on the premises it now occupies—No. 529 Hobart Street, Oakland, California, by Professor D. P. Sackett. The school aims to provide the best of foundation work in education, united with a patient and painstaking training of its students in all those habits of life which combine to form real nobility of character. Started in the midst of great business depression and in a community famous for its excellent educational advantages, it has steadily increased in numbers and popularity, and has nearly one hundred students, including day scholars and boarders, on its attendance-roll. This record is proof enough of the solid worth of this flourishing school.

While the fundamentals of education, reading, writing, spelling, etc., receive the daily instruction of masters of recognized ability, provision is also made for the most thorough training of the more advanced students in the higher branches of a well-balanced education.

There are three departments of instruction—Primary, Intermediate, and Academical. The Academical Department has a Classical Course which prepares students for the best colleges; an English Course for those who do not expect to go to college, and a Commercial Course.

The best instruction is furnished by graduates of experience from Eastern colleges of the first rank, and from the University of California. The physical well-being of the students is amply secured by a well-equipped gymnasium, and a recreation ground unequalled in the city.

It was not the design of the founder to establish a school great in numbers, but one whose quality and training shall accomplish for the Pacific Coast what our best Eastern schools of similar grade are doing for the Atlantic Coast.

LADIES' SCHOOLS.—The history of institutions in Oakland for the exclusive instruction of young ladies is interesting. On November 8, 1858, the Oakland Seminary was commenced by Mrs. G. M. Blake in a private parlor on Broadway and Sixth Streets, with a class of four young ladies. By April 1, 1859, the school had so increased as to require a larger room; it was therefore removed to the corner of Broadway and Eighth Streets, where it remained until March 1, 1860, when it changed its locality to the corner of Fifth and Jackson Streets, where it remained four years. A new building was commenced (that now known as the Blake House) on Washington Street between Eleventh and Twelfth Streets, in June, 1863, and completed on the 24th October, where it was permanently established.

Another institution was the Female College of the Pacific, which owed its existence to the efforts of the Rev. E. B. Walsworth, whose personal exertions first secured the means of establishing it. During the first years of the institution, Rev. S. S. Harmon and wife had the immediate control, and its success and subsequent reputation was in no small degree due to their skill as teachers, and to the efficiency with which they performed the varied duties which devolved upon them. In April, 1864, the "Pacific Female College" was incorporated under the general laws of the State. A department had been opened June 15, 1863, and the existence of the college properly dates from that time. It possessed the full right of conferring degrees, those bestowed being: A. E. (Artium Excelsior), and S. B. (Baccalaureate of Science).

From these have sprung the several female seminaries in Oakland and its environs:—

The Snell Seminary.—Is located at No. 568 Central Avenue, or Twelfth Street, and was opened for students in July, 1878. Its object is the education of young ladies, of whom there are at present over a hundred in attendance, who are received either as boarders or day scholars. The principals are Miss Mary E. Snell and R. B. Snell.

Miss Bisbie's School.—Is attractively situated on the western margin of Lake Merritt on Oak Street, between Eleventh and Twelfth Streets, and was established by Mrs. E. C. Poston in 1872. This lady was formerly principal from a seminary in Marysville and was induced to move her establishment from Marysville, which she did, purchasing the residence of General Heath for the purpose.

Convent of Our Lady of the Sacred Heart.—This is one of the leading educational institutions of Oakland, and is located in a picturesque position at the head of Lake Merritt, commanding a fine view of the city of Oakland and its environments, including the bay and Golden Gate. This convent was founded by the Sisters of the Holy Names of Jesus and Mary, in 1868, under the patronage of Rev. Father M. King, Pastor of the Catholic Church in Oakland. This religious order, like the Sisters of the Presentation, is devoted principally to teaching, and its members receive a special training for that high and responsible office. The building of this convent was erected in 1872 at great expense, and is one hundred and ten by seventy-five feet, and three stories high, exclusive of the basement. It has all the modern improvements and conveniences necessary for the comfort of the pupils. The basement contains a gymnasium provided with wards, dumb-bells, rings, and Indian clubs, refectories, pantries, and kitchen. The first story contains parlors, music rooms, museum, and library. Through the kindness of the numerous friends of the Institution, valuable additions are constantly being made to the museum, and the different specimens are of great service to the members of the various classes. The library consists of over one thousand volumes of choicely selected books, many of which have been presented by friends. In the second story are class-rooms, oratory, and recreation-halls. The third story contains dormitories, toilet-rooms and bath-rooms. The attic is used for the trunks and clothes of the pupils. From the roof, which is flat, there is a good outlook from which a fine view of the bay and surrounding country is obtained. On bright and pleasant evenings this is used as an observatory. In the rear of the convent is an old building which is used as a chapel, drawing-room, and infirmary. The placid and smiling waters of Lake Merritt bound the grounds on two sides, and boats are provided in which the young ladies find much enjoyment in rowing. They are also allowed to indulge in various other proper amusements. The course of study comprises all the elementary and higher branches of education, including polite literature, metaphysics and mathematics. There are also special courses in music, singing, drawing, painting, and ornamental needlework. The pupils are also well schooled in plain sewing, cooking, and other housewifery accomplishments. Three times a week two pupils appointed by the Principal don large calico aprons and under the supervision of two Sisters, learn to prepare not only ornamental desserts, but the more substantial dishes of a good dinner. There are several Sisters, novices and postulants in the Convent,

also a large number of students, who are boarders. The Institution is in a very prosperous and thriving condition, and a good work is being done.

CALIFORNIA MEDICAL COLLEGE, ECLECTIC.—This college was organized under the auspices of the Board of Trustees and Faculty of the California Medical College in 1878, with the following office-bearers; Dr. J. P. Webb, President; Dr. McRae, Secretary; C. C. Mason, First Vice-President; M. F. Clayton, Second Vice-President, J. H. Bundy, Treasurer. The college is organized as the exponent of liberal and progressive medicine and surgery, its aims being to present to the student medical science in all its breadth, while it recognizes Truth wherever found, irrespective of sect or school, and adopts every scientific discovery and rational idea that tends to promote the healing art, for standing on the broad platform of Eclecticism, with reference to the methods and agents of medication, they adhere to no creed, but aim to follow wherever Truth and Science lead. The Board of Trustees are advocates of medical education for women, who are therefore admitted to the college on the same terms as other students. As the sole aim of the college is to educate good practical physicians and surgeons, its course is free from all exclusiveness and bigotry, and will accept students with reference solely to their attainments, and not with regard to the schools or preceptors that may have them. The professors are men in the prime of life, capable of keeping abreast of the daily improvements in all branches of their respective chairs, and, as practicing physicians, of imparting to students what is most useful and practical, no less than what is theoretical and fundamental. The College building is located on Clay Street, between Tenth and Eleventh Streets, and excels any similar institution west of Chicago. It is four stories in height; on the second floor are a magnificent hall, and three suits of offices; on the third floor are the amphitheater, museum, library, and laboratory. The dissecting-room, the best appointed on the coast, is spacious, and thoroughly ventilated by means of the dome. The present Board of Trustees consists of D. Maclean, M. D., President; Colin Campbell, First Vice-President; O. P. Warren, M. D., Second Vice-President; J. P. Webb, M. D., Treasurer; D. D. Crowley, M. D., Secretary. The Medical Faculty comprises: D. Maclean, M. D., Professor of Obstetrics and Gynæcology; D. D. Crowley, M. D., Professor of the Principles and Practice of Surgery and Clinical Surgery; A. W. Bixby, M. D., Professor of the Principles and Practice of Medicine and Clinical Medicine; F. Webster, M. D., Professor of Materia Medica and Therapeutics; G. G. Gere, M. D., Professor of Anatomy, Surgical Anatomy, and Demonstrator of Anatomy; M. Herzstein, M. D., Professor of Physiology and Nervous Diseases; S. P. Meads, A. B., Professor of Chemistry and Toxicology; M. H. Logan, M. D., Adjunct Professor of Chemistry; F. Cornwall, M. D., Professor of Ophthalmology, Laryngology, Otology; Colin Campbell, Professor of Medical Jurisprudence. Dean of the Faculty, Professor D. Maclean, M. D.

LADIES RELIEF SOCIETY OF OAKLAND.—This association was originally organized in March, 1871, and on June 6, 1872, was incorporated by the following ladies and gentlemen: Mrs. Virginia T. de Fremery, Mrs. Catherine E. Kirkham, Mrs. Jennie C. Carr, Mrs. C. C. Curtis, Mrs. Lucy C. Dam, Mrs. Cornelia B. Dwinelle, Mrs.

Sarah Milliken, Mrs. Louise J. Campbell, Mrs. A. Sarah Jones, Mrs. L. P. Fisher, James de Fremery, Alexander Campbell, and Henry C. Campbell, who desired to act in concert for the care, protection, relief and improvement of unprotected and needy women and children in the city of Oakland. The following were then elected to take charge of the estate and property belonging to the corporation: Mrs. Martha R. Moore, Mrs. Lucy E. Dam, Mrs. Cornelia B. Dwinelle, Mrs. Ida J. Spear, Mrs. L. P. Fisher, Mrs. C. C. Curtis, Mrs. G. W. Dam, Mrs. A. Sarah Jones, Mrs. Margaret Perine, Mrs. Harriet D. Palmer, Mrs. Catherine E. Kirkham, Mrs. Josephine Chase, Mrs. Sarah H. Tompkins, Mrs. Mandana M. Wedgewood, and Mrs. Mary R. Mathews. The society is controlled and managed by a Board of thirty directors, from whom a President, two Vice-Presidents, a Recording Secretary, a Corresponding Secretary and a Treasurer are elected. The payment of five dollars annually constitutes an annual member, and fifty dollars cash entitles one to life membership. The society is wholly non-sectarian. It now consists of sixty life members; two honorary members; and nearly eight hundred monthly subscribers. Meets in the chapel of the First Congregational Church at the corner of Clay and Twelfth Streets on the first Thursday of every month during the winter and at the Home during the summer months. The Society owns a home and ten acres of land on the south side of Linden Avenue, between Broadway and Telegraph Avenue, Temescal.

WOMENS' CHRISTIAN TEMPERANCE UNION.—The object of this society may be gathered from the following pledge: "We, the undersigned, women of California, covenant with one another in a sacred and enduring compact against the wicked sale of alcoholic stimulants, under whatsoever name or form it may be conducted; and, although sanctioned by law, we pledge ourselves now to work for such a change in those laws as will give us power to reclaim the fallen; to prevent the young from contracting tastes and habits that will eventuate in drunkenness, and for the creation of a high moral and religious sentiment in favor of total abstinence from all that can intoxicate." The officers of the Union consists of a President, Vice-Presidents, Secretary, Treasurer, and Auditor, who with eleven others chosen annually constitute an Executive Committee. The present officers are: President, Mrs. E. H. Gray, Oakland; Vice-Presidents, Mrs. P. D. Brown, Mrs. G. S. Abbott, Mrs. S. B. Sublette, Mrs. Dr. Coxhead, Oakland; Mrs. S. P. Taylor, San Francisco; Mrs. G. W. Lamoreaux, Petaluma; Mrs. J. L. Williams, Alameda; Mrs. C. P. Buckham, Watsonville; Mrs. R. Newton, Grass Valley; Mrs. Arvidson, Placerville; Mrs. J. P. Raymond, Salinas; Mrs. Nellie Eyster, San José; Mrs. W. T. Reid, Berkeley; Secretary, Mrs. M. E. Congdon, Mariposa, Cal.; Assistant Secretary, Mrs. H. H. Havens, Oakland; Treasurer, Mrs. Charles Chamberlain, East Oakland; Auditor, Mrs. Thomas Varney; Executive Committee, Mrs. S. P. Taylor, San Francisco; Mrs. F. K. Shattuck, Berkeley; Mrs. McChesney, Mrs. S. C. Sanford, Mrs. Dr. Coxhead, Oakland; Mrs. L. B. Saddler, East Oakland; Mrs. M. E. Griswold, Alameda; Mrs. L. P. Williams, Mrs. S. A. Churchill, San Francisco; Mrs. E. Monroe, Nevada City; Mrs. John A. McNear, Petaluma; Mrs. M. H. Cook, San Francisco; Mrs. S. D. Cutler, Salinas; Mrs. R. Newton, Grass Valley.

WOMEN'S CHRISTIAN ASSOCIATION OF OAKLAND.—This charitable society was

organized, October 5, 1877, its objects being "to carry Christian sympathy, love, and help to all families in our midst who may need such ministrations." The officers of the Association are a President, Vice-President, Secretary, Assistant Secretary, Corresponding Secretary, and an Executive Committee of seven or more persons. Membership may be had by any lady paying the sum of one dollar annually, while the payment of twenty-five dollars constitutes life membership. For the conduct of its benefits there are four departments, viz.: Fruit and Flower Mission, Sheltering Home, Industrial Committee, with headquarters at the rooms of the Association at No. 1274 Franklin Street; and the Helping Hand School at the corner of Twenty-second and Market Streets. Its officers are a President, Mrs. William Sublette; seventeen Vice-Presidents; a Recording Secretary; and a Treasurer. Besides these each sub-department has its own officers. The association now consists of three hundred members, five life members, and fifty-one sustaining members.

THE CALIFORNIA SHELTERING HOME.—This charitable institution was organized in April 1881, and was originally situated on Chestnut Street, but was afterwards removed to No. 1274 Franklin Street. It is one of the branches of the Ladies' Christian Association, of which Mrs. William Sublette is the President. The object of the home is to render aid and provide a temporary home for destitute women and children who have no habitation. In this place a number of motherless children have been kindly cared for until other homes could be provided for them. Two aged women, strangers to the city, have enjoyed the hospitalities of the Home for a season, until means could be provided to send them to their native places. Sixty persons in all have been members of the Home, while the number of families during the last year averaged twelve. These two associations cannot be too well patronized, fulfilling as they do woman's mission upon earth—the doing good to her fellow-beings.

HOME FOR AGED WOMEN.—Under the auspices of the Ladies' Relief Society of Oakland. The building was erected in 1882, and possession was taken of it October 1st. Mrs. K. M. Fox is matron, and has six assistants. The structure faces the south with one hundred feet of frontage, and is three stories high besides the basement, and has a large rear extension, two stories high. On the first floor there are ten rooms, seven of which are for inmates, and one is for the matron, and the other two are used for reception and sitting rooms respectively. On the second floor there are eleven rooms, all to be used by inmates. The third floor comprises an attic, used at present for a store-room, but ultimately designed to be finished off into rooms. All the rooms in the building have been furnished by special donation, that is, a donor chooses a room and furnishes it complete. In the rear addition of the building there are two dining-rooms, on the first floor, one of which is used for the aged women, and one for the children of the home; also a kitchen. On the upper floor are two dormitories for the children of the home, and rooms for attendants. In the basement is the laundry and furnace-room, and a large room which is to be used for a children's dining-room in time. The terms of admission are, \$300 for front rooms and \$200 for back rooms. There are ten acres of land belonging to the property. The building cost \$18,000. Governor Perkins and nine others gave \$1,000 each. It is all out of debt now.

LODGES, SOCIETIES, ETC.—The societies of Oakland—secret, social, and benevolent—are most numerous, but the chronicles of only a few of them will be found in our work. We disclaim any blame in this regard, as written requests were made for the necessary information, but this was in many instances entirely ignored, therefore such as were handed to us we now produce. The latest directory of Oakland gives the information that there are within the city—exclusive of East Oakland—some fifty lodges.

Masonic Temple.—The Oakland Masonic Temple Association was incorporated June 25, 1878, with a capital of \$100,000, divided into 10,000 shares of the par value of \$10.00 each.

The association was organized and officers elected June 27, 1878. F. K. Shattuck was elected the first President of the association, and has been re-elected each year, and is the present President. A lot sixty-five feet on Washington by one hundred and five feet on Twelfth Street, was purchased of E. P. Flint on the northwest corner of Twelfth and Washington Streets.

By-laws of association adopted July 13, 1878, and a Building Committee, consisting of N. W. Spaulding, S. Hirshberg, and R. C. Gaskill appointed. August 1, 1878 Messrs. Wright and Sanders were selected as the architects, to draw plans and specifications for the building. Plans for the building as prepared by Messrs. Wright and Sanders were adopted by the Board, October 3, 1878. Building committee July 2, 1879, N. W. Spaulding, John Cullin, S. Hirshberg. Modified plans of building adopted October 20, 1879.

Bids for the several kinds of work were advertised for October 20th, and received up to noon, November 5, 1879, and on the 10th day of November the Board of Directors awarded the following contracts: For brick-work, to G. D. Nagle & Co., Oakland; for the granite-work, to George Griffith, Penryn, Cal.; for freestone, to J. Pfeiffer, San José; for wrought-iron-work, to J. R. Sims San Francisco; carpenter-work, to D. Farniell, Oakland; Plumbing, etc., to W. W. Montague & Co., Oakland; tin and slate work, to J. F. Forderer, San Francisco; plastering, to A. C. Corbett, San Francisco; painting and glaizing, to J. T. Gardiner, Oakland.

The corner-stone of the Temple was laid with appropriate Masonic ceremonies on the 10th day of January, 1880, by M. W., W. N. Traylor, Grand Master of the Grand Lodge of Free and Accepted Masons, of the State of California, assisted by other officers of the Grand Lodge. The lodges and other Masonic bodies of Oakland participating. An address was delivered by M. W., Leonidas E. Pratt.

W. E. Boone was elected the superintendent of the work, and under his directions the contractors were required to do all their work.

Although the entire Temple was not completed, yet the third story was so nearly finished that Oakland Lodge No. 188, F. and A. M., moved to the Temple and held the first meeting on the eve of December 27, A. D. 1880, and installing their newly elected officers for the ensuing year. The Temple was completed and dedicated February 22d, A. D. 1881, by the officers of the M. W. Grand Lodge of Free and Accepted Masons of the State of California, with appropriate ceremonies and music, followed by an oration by M. D. Boruck, and a ball in the evening.

The Temple is semi-Gothic in style, and is sixty-five by one hundred and five feet, and constructed of brick, granite, and San José sandstone. The main entrance on Twelfth Street is in the form of a Gothic portico of polished granite supported by pillars of polished black granite, with the letter "G. T." cut in the massive arch over the gateway. The first floor contains a main hall forty-two by sixty-eight feet with a banqueting hall adjoining, eighteen by sixty-eight. Ladies and gents rooms are also attached. On the second floor, which is constructed with special reference for the meetings of the various Masonic bodies, the main hall or lodge room is forty-two by sixty feet with twenty-five foot ceiling and a central dome reaching six feet higher. This floor has also a banqueting hall, with tyler's room, coat, committee and preparation rooms, also armory rooms for the Knights Templar. The cost of the lot and building with furniture is fully \$100,000.

The annual meeting of stockholders is held on the third Tuesday of June, at which meeting a Board of eleven Directors is chosen. The present officers of the Board of Directors are: F. K. Shattuck, President; A. Chabot, Vice-President; C. E. Gillett, Secretary; M. T. Dusenbury, Treasurer.

Oakland Commandery, No. 11, Knights Templar.—This Commandery was organized January 18, 1876, with the following charter members: William Thomas Reynolds, Edward Farnum, Ralph Josiah Van Voorhies, Daniel William Gelwicks, Rollin Corrolus Gaskill, James Dods, Natale Giamboni, Thomas Jefferson Arnold, Frank Worthy Cushing, Francis Kettredge Shattuck, John Macklin Miner, Alfred Coolidge Waitt, Edward Waterman Roberts, Nathan Weston Spaulding, Osgood Church Wheeler, August Liliencrantz, Henry Edward Mathews, Edward Edmonds Potter, Charles Edwin Gillett, Adolphus Skinner Hubbard, Frank Xavier Zephidon Marchand, Willard Franklin Fletcher, Solomon Lathrop, and Richard Woolsey Ellis, the officers under dispensation being: Sir James Dods, Commander; Sir W. T. Reynolds, Generalissimo; Sir N. W. Spaulding, Captain General. On April 15, 1876, the charter was granted, since when it has been in a most flourishing condition. It meets at their asylum in the Masonic Temple, at the northwest corner of Twelfth and Washington Streets, every Tuesday evening, the stated conclave being held on the first Tuesday of each month. The officers since organization, including those for the present term, are:—

1876.—Sir R. C. Gaskill, Commander; Sir A. S. Hubbard, Generalissimo; Sir A. Ryder, Captain General. 1877.—Sir R. C. Gaskill, Com.; Sir A. S. Hubbard, Gen.; Sir A. Ryder, Capt. Gen. 1878.—Sir R. C. Gaskill, Com.; Sir A. S. Hubbard, Gen.; Sir A. Ryder, Capt. Gen. 1879.—Sir O. C. Wheeler, Com.; Sir S. Lathrop, Gen.; Sir W. F. Fletcher, Capt. Gen. 1880.—Sir S. Lathrop, Com.; Sir A. C. Waitt, Gen.; Sir W. F. Fletcher, Capt. Gen. 1881.—Sir Solomon Lathrop, Com.; Sir J. E. Benton, Gen.; Sir W. F. Fletcher Capt. Gen. 1882.—Sir S. Lathrop, Com.; Sir J. E. Benton, Gen.; Sir George D. Metcalf, Capt. Gen. 1883.—Sir Solomon Lathrop, Com.; Sir Alfred Coolidge Waitt, Gen.; Sir George Dickson Metcalf, Capt. Gen.; Sir Herman Barnum Sears, Prel.; Sir Zachary Taylor Gilpin, Senior Warden; Sir Charles Franklin Burnham, Junior Warden; Sir Rollin Corrolus Gaskill, Treasurer; Sir James Todd Gardiner, Recorder; Sir James Bestor Merritt,

Standard Bearer; Sir Frank Eugene Brigham, Sword Bearer; Sir George Patterson, Warder; Sir Charles Edwin Gillett, Sentinel; Sir F. X. Z. Marchand, Sir Wm. P. Jones, Sir William George Cumming, Guards; Sir Wallace Everson, Sir A. G. Anthony, Purveyors.

Oakland Chapter, No. 26, R. A. M.—This Chapter was instituted May 5, 1860, with the following charter members: J. E. Witcher, P. E. Edmondson, Hiram Tubbs, H. S. Vesey, A. H. Myers, William Kennedy, J. W. Carrick, J. C. Kyte, Samuel Hirshberg, T. J. Nevins. The first officers being, J. E. Witcher, H. P.; P. E. Edmondson, K.; J. W. Carrick, S.; T. J. Nevins, C. of H.; A. H. Myers, Pr. Soj.; Hiram Tubbs, R. A. C.; J. E. Kyte, M. 3d V.; S. Hirshberg, M. 2d V.; W. Kennedy, M. 1st V.; H. M. Vesey, Sec. The Chapter has a present membership of sixty-two, the following being the officers for the current year: F. H. Brooks, H. P.; C. E. Gillett, K.; A. W. Bishop, S.; W. F. Pierce, Treas.; J. Lentell, Sec.; W. B. Clayton, C. of H.; J. T. Gardner, Pr. Soj.; E. Winchester, R. A. C.; J. J. Newsom, M. of 1st V.; J. Dieves, M. 2d V.; George Goodman, M. 3d V.; H. E. Hitchcock, Guard. Meets on the first and third Mondays in each month in Masonic Temple, at the corner of Central Avenue and Washington Streets.

Royal and Select Masters.—On May 13th, A. D. 1882, a dispensation was granted by the Ill. Dep. G. M. of the Grand Council of R. and S. M. of California, to Companions Charles Edwin Gillett, George Wait Hopkins, Lewis Goodwin Thomas, Joseph Parsons, Osgood Church Wheeler, Daniel W. Gelwick, Nathan Weston Spaulding, John Andrew Zimmerman, Samuel P. Kelly, Alfred T. Perkins, Isaac D. Ryttenberg, Thomas H. Pinkerton, William R. Thomas, Ebenezer Winchester, Willard F. Fletcher, and George B. Seaman—to open and hold a Council of Royal and Select Masters in the city of Oakland, Cal., to be known as Oakland Council. The Ill. Dep. G. M., appointing Ill. Comp., Charles E. Gillett to be the first Thrice Ill. Master. Comp. Osgood Church Wheeler the first Dep. Ill. M. and Comp. George B. Seaman, the first Prin. Con. of the work. The first regular meeting of Oakland Council W. D. of R. and S. M., was held on June 15, A. D., 1882. A Dep. 2882 at which time the officers not named in the dispensation were elected or appointed. A code of by-laws adopted, and the Council proceeded to transact business and work of a Council of R. and S. Masters. The Council continued to hold their monthly meetings until the annual session of the Grand Council of R. and S. M. of the State of California, in April, 1882, at which time a charter was granted, and on the 17th day of June, 1882, Oakland Council, No. 12, R. and S. M., was duly constituted by R. P., Adolphus Hollub as Dep. Gr. Master, assisted by Comp. J. H. Gray, as Grand Marshal, after which the following named companions were duly installed: R. P. Charles, E. Gillett, Th. Ill. Master; James B. Merriitt, Dep. Ill. M.; Robert A. Hughes, P. C. of W.; Thomas H. Pinkerton, Treas.; E. Winchester, Recorder; Z. T. Gilpin, C. of G.; E. H. Morgan, C. of C.; A. Kendall, Stew.; and J. A. Zimmerman, Sentinel; present number of members of council, thirty. Time of meeting, the third Thursday of each month, at Masonic Temple, corner of Twelfth and Washington Streets.

Live Oak Lodge, No. 61, F. & A. M.—Was instituted May 4, 1855, with the

following charter members: L. C. Owen, I. E. Paddock, J. E. Whitcher, S. H. Robinson, S. B. McKee, J. Black, S. Beel, F. Warner, M. Fallon, P. Hayes, J. P. M. Davis, H. M. Barnard, B. L. Jones, L. Langfeld, H. C. Spicer; the first officers being: I. E. Paddock, W. M.; J. E. Whitcher, S. W.; H. A. Higley, J. W.; S. H. Robinson, Treas.; S. B. McKee, Sec.; J. Black, S. D.; John Scott, J. D.; F. Warner, Tyler. The present membership is one hundred and eleven; and the names of the present officers are: Robert J. Beeby, W. M.; E. C. Robinson, S. W.; W. F. Perry, J. W.; Peter Baker, Treas.; A. E. H. Cramer, Sec.; J. C. Plunkett, S. D.; H. P. Dalton, J. D.; H. E. Hitchcock, Tyler. The lodge meets on the evening of the first Friday in every month; while the place of meeting is the Masonic Temple, at the corner of Twelfth and Washington Streets.

Oakland Lodge, No. 188, F. & A. M.—Was instituted under dispensation, April 1, 1868, and finally received its charter October 15, 1868. The charter members were: N. W. Spaulding, W. G. Houghland, Joseph W. Hoag, John Laing, E. H. Pardee, W. H. Smith, G. R. Walker, P. Johnson, J. W. Myrick, J. Hill, C. B. Rutherford, F. Reichling, A. W. Hawkett. The first officers were: N. W. Spaulding, W. M.; Joseph W. Hoag, S. W.; E. H. Pardee, J. W.; F. Reichling, Treas.; C. B. Rutherford, Sec. The lodge, which has a present membership of two hundred and forty-seven, meets every Saturday evening in the Masonic Temple, at the corner of Washington and Twelfth Streets, and is in a flourishing condition. The officers for the current term are: N. B. Hoyt, W. M.; T. J. O'Keefe, S. W.; G. S. Keys, J. W.; C. B. Rutherford, Treas.; A. K. Clark, Sec.

Oak Leaf Chapter, No. 8, O. E. S.—This Chapter was instituted April 30, 1872, with the following charter members: Sarah H. Warner, Ellen J. Rutherford, Emily Bagge, Fannie H. Hewes, Susie B. Lentell, S. Ella Whitcher, Henrietta Whitcher, R. J. Ingalls, Lizzie Dewes, Ricka Hirshberg, Henrietta Heyman, Ruth Ward, Caroline L. Pierson, Franklin Warner, Charles B. Rutherford, Christian Bagge, Charles Hewes, James Lentell, Foster B. Tarbett, Jeremiah E. Whitcher, James E. Ingalls, Gertrude Dewes, Lena Rosenberg, Robert T. Ward, M. Rosenberg; the first officers being: Jeremiah E. Whitcher, W. P.; Henrietta Whitcher, W. M.; Lucy E. Dam, A. M.; Sarah H. Warner, Sec.; Salome Anderson, Treas.; Fannie H. Hewes, Cond.; Mary E. Partridge, A. C.; Susie B. Lentell, Warder; Albert Shorey, Sentinel; S. Ella Whitcher, Adah; Ricka Hirshberg, Ruth; Emily Bagge, Esther; Ruth Ward, Martha; Caroline L. Pierson, Electa. The lodge, which is in a flourishing condition, with one hundred and sixty-five members on the roll, meets on the second and fourth Thursday of each month, in the Masonic Temple, corner of Twelfth and Washington Streets. The officers for the current term are: Samuel Thorburn Black, W. P.; Martha Pearee, W. M.; Martha Baker, A. M.; Salome Anderson, Treas.; Fannie Ward, Sec.; Maud Howard, Cond.; Amelia Marcellus, A. Cond.; Osgood C. Wheeler, Chaplain; Lucia Etta Loring, Adah; Elizabeth Gee, Ruth; Sarah J. Brewster, Esther; Emma J. Welch, Martha; Lucinda C. Tucker, Electa; Sarah A. Deming, Warder; Hugh Frazer, Sentinel.

Oakland Lodge, No. 118, I. O. O. F.—This lodge was instituted July 5, 1864, with the following charter members and officers: E. Jansen, N. G.; P. Johnson, V. G.;

J. C. Holland, Sec.; J. Becht, Treas.; and V. Kopf. The present membership is two hundred and thirty-five, the officers for the current term being: H. L. Madsen, N. G.; W. S. Dryden, V. G.; J. A. Button, Rec. Sec.; A. M. Drinkwater, Per. Sec.; C. McG. Quackenbush, Treas.; W. H. Rouse, A. L. Ellis, A. T. Eastland, Trustees. The lodge, which is in a flourishing condition, meets every Tuesday evening in Odd Fellows' Hall, corner of Eleventh and Franklin Streets.

Fountain Lodge, No. 198, I. O. O. F.—This lodge was instituted on January 10, 1872, with the following charter members: John B. Harmon, Joseph Lufkin, J. E. Marchand, J. E. Whitcher, Louis Belfils, William Chamberlin, C. H. Townsend, J. J. Porter, J. E. Ingols, J. E. Bacon, W. L. McKay, I. R. Marston, J. M. Miner, R. H. Adams. The original officers were: J. B. Harmon, P. G. M., N. G.; J. E. Ingols, V. G.; C. H. Townsend, Rec. Sec.; J. E. Whitcher, Treas. There are at present one hundred and twenty-five members on the roll, and the officers for the current term are: Hermann Nebel, N. G.; John Crebbin, V. G.; Jacob Mueller, Rec. Sec.; E. Kreyenhagen, Treasurer. The lodge meets every Monday evening in Odd Fellows' Hall, corner of Eleventh and Franklin Streets.

Evening Star Lodge, No. 263, I. O. O. F.—Was organized July 20, 1877, with the following charter members: T. W. Le Ballister, John Nelson, F. Schimmelpfenning, John K. Woodworth, Joseph L. Golden, Oscar T. Bailey, L. B. Larue. The first officers were: T. W. Le Ballister, P. G.; John Nelson, N. G.; J. K. Woodworth, V. G.; T. W. Le Ballister, Secretary; F. Schimmelpfenning, Treasurer. The Past Grands are: T. W. Le Ballister, John Nelson, J. K. Woodworth, J. McCracken, James McGrew, F. Schimmelpfenning, A. J. Sweet, F. N. Olaine, R. H. Larsen. The present officers are: R. H. Larsen, N. G.; D. J. Sullivan, V. G.; T. W. Le Ballister, Secretary; F. Schimmelpfenning, Treasurer. The present membership is fifty-one, and the lodge is in a prosperous condition.

Oakland Rebekah Degree Lodge, No. 16, I. O. O. F.—Was instituted October 10, 1873, with the following charter members: C. G. Reed, C. W. Cornor, C. B. Rutherford, Mrs. C. B. Rutherford, W. B. Ingersoll, Mrs. W. B. Ingersoll, C. Bagge, C. E. Bagge, A. B. Brower, Mrs. A. B. Brower, A. P. Partridge, Mrs. A. P. Partridge, J. Letters, Mrs. J. Letters, N. Rosenberg, Mrs. N. Rosenberg, Louis Gans, Mary Gans, Mrs. J. Ingols, Mrs. E. G. Jones, Mrs. H. L. Kercheval, Robert Dalziel, S. P. Knight, F. A. Corner, Sarah P. Knight. The first officers were: C. G. Reed, N. G.; C. W. Cornor, V. G.; Mrs. M. E. Partridge, Rec. Sec.; Mrs. A. F. Ingersoll, Per. Sec.; Mrs. E. C. Bagge, Treas. The lodge, which meets every Wednesday evening in Odd Fellows' Hall, at the corner of Eleventh and Franklin Streets, is in a flourishing condition, and has fifty-eight members on the roll. The present officers are: Mrs. Maria L. Black, J. P. G.; Miss Elsie E. Aldrich, N. G.; Miss Maggie E. Price, V. G.; Mrs. Alice M. Naismith, Rec. Sec.; Miss Jennie L. Demott, Per. Sec.; Mrs. Susy C. Jones, Treas.

Pacific Lodge No. 7, A. O. U. W.—This lodge was instituted July 24, 1877, with the following charter members: B. D. Alexander, F. C. Barkhouse, S. Bowers, C. W. Baker, S. M. Cushing, W. J. Cuthbertson, James Dods, J. A. Dyer, C. A. Fuller, D.

McG. Fraser, C. F. Groff, A. A. Guernsey, C. A. Gore, S. L. Gibbs, W. H. H. Hussey, L. Hamilton, J. E. Ingols, Wm. H. Jordan, W. W. Landon, A. Landon, W. S. Murphy, Geo. D. Metcalf, C. W. Ormsby, C. C. Palmer, L. M. Prince, J. R. Porter, D. W. Pratt, Charles G. Reed, D. Roudebush, H. T. Smith, I. A. Skinner, J. A. Swenarton, A. Shorey, Geo. Taylor, C. H. Twombly, C. P. Ward, W. Winnie. The first officers were: W. H. Jordan, M. W.; C. C. Palmer, F.; S. M. Cushing, O.; William Winnie, Recdr.; W. W. Landon, Fin.; J. P. Thorn, G. The lodge meets every Thursday evening in Workmen's Hall, corner of Twelfth and Franklin Streets, and has a present membership of two hundred and thirty-five. The present officers are: R. B. S. York, M. W.; J. C. Fielding, F.; Albert Gankroger, O.; C. W. Baker, Recdr.; E. S. Finch, Fin.; George V. Blackman, I. W.; E. J. Edwards, O. W.; W. H. O'Brien, P. M. W.

Oakleaf Lodge, No. 35, A. O. U. W.—Was instituted June 3, 1878, with the following officers: M. S. Baker, P. M. W.; D. S. Hirshberg, M. W.; E. J. Webster, F.; A. A. Wood, O.; Charles Hapgood, Recvr.; George G. Bailey, Recdr.; E. L. Warner, Fin.; W. N. Pearce, G.; L. H. Pierson, I. W.; R. I. Auld, O. W.; Charles H. Dunton, E. M. Campbell, Joseph Harris, Trustees. The lodge, which is in a very flourishing condition, meets at Workmen's Hall, corner of Franklin and Twelfth Streets, every Monday evening, and has on its roll two hundred and thirty-five members. The present officers are: J. R. Sturrock, P. M. W.; W. N. Miller, M. W.; A. Donaldson, F.; J. A. Johnson, O.; Joseph Harris, Recvr.; M. S. Baker, Recdr.; D. S. Hirshberg, Fin.; B. F. Everheart, G.; S. Pallimbaum, I. W.; William Branch, O. W.; S. G. Tucker, Med. Exr.; Charles H. Dunton, Jeremiah Tyrrell, J. W. Mackie, Trustees. The Past Master Workmen of this lodge are: M. S. Baker, D. S. Hirshberg, E. J. Webster, A. A. Wood, W. N. Pearce, R. I. Auld, C. K. Robinson, Charles H. Dunton, J. A. Miller, M. S. Levy, W. J. Wilkinson, J. J. Jones, J. R. Sturrock, J. A. C. Macdonald.

Live Oak Lodge, No. 17, K. of P.—Was instituted August 12, 1870, with the following charter members, J. C. Parks, C. M. Baldwin, William H. Parrish, Robert Swarbrick, David B. Bankhead, Frank Merriweather, Charles Parry, John Coffey, Samuel Baily, George Blake, A. E. Hartman, Edward C. Van Duyn, Charles A. Perkins, Samuel Baird, Charles Crosbie, William H. Campion, Moses G. Morse, W. G. Adams, William B. King, Felix M. Butler. The first officers were: John C. Parks, V. P.; R. Swarbrick, W. C.; C. A. Perkins, V. C.; S. Baily, W. R. S.; S. Baird, W. F. S.; F. M. Butler, W. B.; D. B. Bankhead, W. G.; C. M. Baldwin, W. I. S.; W. G. Adams, W. O. S.; W. H. Parrish, C. Parry, J. Coffey, F. Merriweather, Attendants. The lodge, which has a present membership of one hundred and sixty-one, meets every Wednesday evening in Pythian Hall, No. 1058 Broadway, and is in a flourishing condition. The officers for the current term are: Josh. Dimmick, P. C.; John N. Bonham, C. C.; Charles A. Ingerson, V. C.; Gus. W. Meyer, Prelate; David B. Bankhead, M. of E.; August Welander, M. of F.; Henry A. Holland, K. of R. and S.; Sam. H. Gowen, M. at A.; H. E. Church, I. G.; J. W. Baxley, O. G.; A. Stein, P. J. Keller, R. H. Gans, C. G. Schroeder, Attendants.

Oakland Council, No. 20, O. C. F.—Was instituted January 14, 1882, with the following charter members: H. M. Collins, William T. Bellars, Charles H. Eitel, Edward

F. Kohler, Rebecca Striker, S. J. Springer, Mary E. Collins, James Phillipps, Hannah Phillipps, S. P. Babcock. The original officers were: H. M. Collins, P. C. C.; R. Springer, C. C.; J. K. Price, V. C.; S. J. Springer, Prelate; C. H. Eitel, Treas.; R. E. Striker, Sec.; Mary E. Collins, Mar.; H. W. Watkins, G.; Delia A. Collins, W. The lodge, which meets on the second and fourth Mondays in each month, is in a flourishing condition, and convenes at Kohler's Hall, West Oakland, there being sixty-six members on the roll. The officers for the current term are: Ransom Springer, P. C. C.; S. P. Babcock, C. C.; Mary E. Collins, V. C.; Kittie Bullock, Prelate; John A. Henninger, Treas.; Henry A. Holland, Sec.; Lucy Holland, Mar.; Eliza Bunker, War.; Thomas Gray, Guard; Alexander S. Ellis, Sentry.

Brooklyn Council, No. 50, I. O. C. F.—Was organized December 13, 1881, with a large list of charter members. The first officers were: Charles J. H. Luth, C. C.; J. W. Glaze, Financier; F. Schemmelpfenning, Treasurer; Albert Schmidt, Secretary. The present officers are F. A. Beamis, C. C.; C. J. H. Luth, Financier; Mrs. L. Schemmelpfenning, Treasurer; Albert Schmidt, Secretary. The present membership is sixty-five, and the lodge is prospering.

Oakland Lodge, No. 252, I. O. B. B.—Was instituted November 28, 1875, and had as its first officers: N. Witkowsky, President; Samuel Hirshberg, Vice-President; D. S. Hirshberg, Sec.; M. Greenhood, Treas.; J. Letter, Ass't. Monitor; M. Rosenberg, Warden; H. Davis, Guardian; A. Cerf, Nathan Rosenberg, I. Marcus, Trustees. The lodge meets every Sunday afternoon at two o'clock, in Medical Hall, Clay Street, between Tenth and Eleventh Streets, and has ninety-five members on the roll. The present officers are: M. S. Levy, Monitor; Leo Zeimer, President; J. Isaac, Vice-President; E. Bernstein, Sec.; Henry Kahn, Fin. Sec.; J. M. Cohen, Treas.; Alexander Hirshberg, Ass't. Monitor; A. Silberstein, Warden; I. Jacobs, Guardian; J. D. Ryttenberg, A. Jonas, J. L. Isaacs, Trustees.

Appomattox Post, No. 50, G. A. R.—This Post was organized March 22, 1883, through the efforts of T. H. Allen, Thomas Todd, J. Frederick, and W. R. Thomas, with nineteen charter members, and with the following officers: W. R. Thomas, Commander; W. E. Norris, Senior Vice-Commander; Thomas Todd, Junior Vice-Commander; N. S. Douglass, Quartermaster; J. C. Estey, Chaplain; J. J. Hambricht, Adjutant; T. H. Allen, Officer of the Day; J. Frederick, Guard. The Post has now a membership of fifty, and meets every Thursday evening in the Medical College.

Army and Navy Republican League, Oakland Lodge.—This camp was organized March 16, 1880, with the following charter officers: E. B. Jerome, Camp Commander; W. H. H. Hussey, Senior Vice Commander; E. W. Buck, Junior Vice-Commander; L. B. Edwards, Adjutant; John T. Coe, Quartermaster; James Hill, Officer of the Day; E. W. Woodward, J. A. Robinson, J. H. Inwall, J. C. Nichols, P. W. Billings, Council of Administration; Jesse Robinson, G. W. Hogue, F. W. Cushing, Jacob Winkler, J. G. Edwards, Bureau of Employment. There are now four hundred members on the roll, with the following officers: H. T. Smith, Camp Commander; J. G. Edwards, Senior Vice-Commander; H. Inwall, Junior Vice-Commander; L. S. Bixbey, Adjutant; J. G. Edwards, Chairman Council of Administration.

St. Andrews Society of Alameda County.—This Society, which has for its object the assisting of distressed Scotchmen who are deserving of aid, was organized May 17, 1878, with sixty charter members, the first officers being: A. McKinlay, President; D. Kilpatrick, Vice-President; James Easton, Treas.; Thomas Turnbull, Fin. Sec.; Robert P. Smith, Rec. Sec.; W. O. Buckland, M. D.; Physician; Rev. J. K. McLean, D. D., Chaplain; A. Campbell, R. Dalziel, W. G. Gray, Trustees; W. L. McKay, James Dalziel, John S. Collins, Relief Committee. There are at present one hundred and forty members on the roll. The officers for the current term are Peter Thomson, President; Robert Smilie, James P. Taylor, Vice-Presidents; James Easton, Treas.; D. E. Collins, Rec. Sec.; A. W. Hughan, Asst. Rec. Sec.; Thomas Turnbull, Fin. Sec.; J. A. C. Macdonald, Asst. Fin. Sec.; D. C. McTavish, Librarian; William Collins, William Stuart, David Leitch, Trustees; John Thomson, Alexander Campbell, J. Wyllie Mackie, Board of Relief; William Brown, M. D., Physician; Rev. J. K. McLean, D. D., Chaplain; Peter Thomson, D. E. Collins, Colin Campbell, J. P. Munro-Fraser, J. P. Taylor, A. Campbell, John Thexton, Literary Committee.

"Daughters of Israel" Relief Society.—This society was organized in the year 1876 with twenty charter members; its first officers being: Mrs. J. J. Bettmann, President; Mrs. S. S. Cohen, Secretary; Mrs. R. Beel, Treasurer; the last of whom was the actual originator of the association. The objects for which it was instituted are charity and benevolence to all, irrespective of nationality or creed. The present membership consists of fifty-four, while the office-bearers for the current term are: Mrs. R. Beel, President; Mrs. E. Bernstein, Vice-President; Mrs. M. H. Coffee, Secretary; Mrs. J. Alexander, Treasurer. Meets on the third Wednesday of each month in the vestry of the Synagogue, on the south side of Fourteenth Street, between Franklin and Webster Streets.

Hebrew Benevolent Society.—Was organized in July, 1861, with the following officers: S. Hirshberg, President; S. Adler, Vice-President; S. Schultz, Secretary; R. Heyman, Treasurer. The present office-bearers are: D. S. Hirshberg, President; B. Samuels, Vice-President; I. D. Ryttenberg, Secretary and Treasurer. Meets on the first Sunday of each month.

The Danish Society "Dania of California."—Was organized January 21, 1882, and incorporated August 12, 1882. The Trustees for the first year being Oscar F. Westphal, Thomas Mikkelsen, C. H. E. Christensen, W. A. Kreutzman and C. E. Frostholt. Its object is to assist and relieve its members, to establish a relief fund for widows and orphans of deceased members, to assist and obtain employment for its members when in need, to improve its members socially and materially, and to create a spirit of harmony amongst the Danes in California. Branch No. 1 of Dania is located at 864½ Broadway, Oakland, has a membership of about sixty and its officers are: President, H. Andresen; Vice-President, P. Larson; Secretary, Fred Peterson; Treasurer, H. Frederikson. This branch is in a prosperous condition.

OAKLAND GUARD.—Upon the outbreak of the rebellion the loyal citizens on every hand gathered themselves together and formed themselves into military com-

panies for the protection of the rights of the Union, determining to maintain its integrity at all hazards; and it may be remembered that it was proved almost beyond a peradventure that a secret scheme existed whereby California was to be given over to the control of the Confederacy. To this end the citizens of Oakland met in meeting, and on June 10, 1861, formed the "Oakland Guard," that distinguished company of which we now purpose giving a short sketch. The city of Oakland then numbered only about two thousand of a population, and from among those who signed the original muster-roll, we have the names of William Hoskins, Jeremiah Tyrrell, J. Barnett, A. W. Burrell, Harry N. Morse, J. A. Whitcher, John H. Hobart, A. D. Eames, J. A. Webster, George M. Blake, H. Hillebrand, W. W. Crane, C. S. Haile, William C. Little, John McCann, and many others. From these were elected the first officers, viz.: James Brown, Captain; Harry N. Morse, First Lieutenant; Henry Hillebrand, Second Lieutenant; Jeremiah Tyrrell, Junior Second Lieutenant. Shortly after its organization the Oakland Guard was attached to the Second Regiment of Artillery, where it remained for some considerable time. After this it became "unattached," and as we find in the annual report of the Adjutant General of the State of California, 1862, at that time it was Company C., of the First Infantry Battalion, Second Brigade, of the National Guard. From this official statement its name would appear to have then been the "Oakland Home Guard." In 1872, when the number of companies in the National Guard was reduced, each regiment in the Second Brigade losing two, the Oakland Guard was mustered out, but that same evening was again mustered in as an "unattached" organization. The Captains, from its incipience up till the present writing, 1883, have been: James Brown, Harry N. Morse, W. C. Little, A. W. Burrell, H. D. Ranlett, Henry Levy, A. L. Smith, and Thomas H. Thompson. It will thus be seen that the company's first captain was he who was elected to the responsible position of Marshal of the city in 1863, and who died January 1, 1879, while the second to take command was none other than the gentleman who was for so many years the distinguished Sheriff of the county. The third captain on the list is the well-known Colonel Little, who took so prominent a part in bringing the Oakland Light Cavalry into existence. Captain Ranlett has since developed into the Colonel in command of the Fifth Battalion of the National Guard, while under the *régime* of Captain Levy, the company won its crowning laurels as the best drilled company in the State Militia. In all branches of its military duties have the Oakland Guard ever held the foremost position; be it at drill or at the target, their record is a proud one and adds luster to its fame. Its trophies have been won in many a hard though friendly contest, and tell of honor gained at home and abroad, while to the credit of the company it may be said that it has one in its ranks, C. H. Ellis, who has been a continuous member of it for upwards of twenty-one years. The armory of the company is located at the corner of Central Avenue and Washington Street, where their social and military equipments are most complete, the drill-hall being a noble room ninety-five feet in length and forty wide. Officers, non-commissioned officers, and men each have separate rooms wherein they meet, a commendable scheme that is eminently conducive to discipline. The present status of the Oakland Guard is seventy men, rank and file, the officers being Thomas H. Thompson, Captain; Joseph S. Green, First Lieutenant; Edward M. Campbell, Second Lieutenant.

OAKLAND LIGHT CAVALRY, UNATTACHED, SECOND BRIGADE, N. G. C.—This effective corps was organized in 1877, thirty-three members having signed the roll at a meeting held on the 31st of July of that year. On the 7th August the following officers for the military and civil departments were elected: W. C. Little, Captain; E. W. Woodward, First Sergeant; J. E. McElrath, Senior Second Sergeant; T. H. Allen, Junior Second Sergeant; C. M. Burleson, Secretary; Thomas Prather, Financial Secretary; W. H. H. Graves, Treasurer. The corps originally had their meetings in the old Armony Hall on Thirteenth Street; subsequently they moved to Antisell's Building at the corner of Central Avenue and Broadway, and finally on April 15, 1883, took up their quarters in the building erected by H. D. Bacon, on the corner of Washington Street and Central Avenue. Here they have their armory. The drill-hall is a splendid apartment one hundred by sixty feet in dimensions with ante-rooms for officers and men, besides assembly rooms and parlors. The Oakland Light Cavalry were mustered into the service of the State, September 23, 1878, with forty-nine rank and file, but their membership has reached ninety. There are now sixty-two effective members on the roll. This may be said to be the *corps d'élite* of Oakland, and as such takes a just pride in presenting a most creditable demeanor at every public parade. They are a fine body of men, generally good horsemen, and have a distinguished military appearance in their handsome and becoming uniforms. The social entertainments given by the corps are remarkable for their high standard of excellence and rank among the events of Oakland's social world. The present officers are: Webb N. Pearce, Captain; George B. Flint, First Sergeant.

HANCOCK RIFLES, COMPANY C.—This thriving military company was organized shortly after the State campaign that resulted in the election of the Democratic candidate, General Stoneman, to the exalted position of Governor of California. The material of which the Rifles is composed was principally taken from the Hancock Fire Brigade, a political body of about two hundred members, which had been marshaled successfully during election times by Frank J. Moffitt, in the interest of the Democracy. After the victorious election the Fire Brigade found its occupation gone, and a committee from its ranks was appointed to select suitable young men for a proposed independent military organization. The outgrowth of this committee's labor was the Hancock Rifles, the name of that famous military chieftain being all that was left of the now defunct political company. Temporary organization was effected with Henry Levy as Captain and Martin Ryan as Lieutenant. Will. S. O'Brien was Secretary and Frank Moffitt was Treasurer. New recruits were taken in at each meeting, and a course of drilling exercise was at once commenced, and in a remarkably short time the Hancock Rifles possessed the reputation of being the best independent military organization in the State. One evening, unexpectedly, Adjutant General Cosby dropped in during a drill; accompanying him were several members of his staff and Major-General Turnbull, and so well were the visitors pleased with the "Rifles" that the Adjutant-General intimated that were the company to apply for admission to the State service, as a part of the National Guard, the request would receive favorable consideration, and accordingly application was made and the company mustered into the State Militia as a part of the Third Infantry Regiment, and given the official

title of Company C. It was the first company of that gallant regiment to be honored by being placed at the command of the military authorities of California. Permanent officers were then chosen as follows: Captain, Henry Levy; First Lieutenant, Martin Ryan; Second Lieutenant, Will. S. O'Brien. Thus properly organized an armory was procured and fitted up at the corner of Franklin and Twelfth Streets, where the present headquarters of the company are. A considerable sum of money was required to equip and uniform the prosperous body, and the members for the first time realized their company's popularity when a sufficiency poured in almost immediately. The company is at the present time in excellent condition financially and socially, and at every meeting applications from the foremost young men of the city are being acted on.

FIRE DEPARTMENT.—The first attempt to establish a Fire Department in the city of Oakland was made in the early part of 1853, which resulted in the organization of two engine companies, the Empire and Washington, and the Oakland Hook and Ladder Company, and the election of John Scott as Chief Engineer. Three large cisterns were soon after constructed on Broadway between First and Fourth Streets, to supply the engines with water, and the necessary apparatus was obtained to give efficiency to the operations of the Department. The apparatus then used by the Empire Company, a small New York side-stroke engine, purchased originally at a cost of two thousand dollars, was not long ago in the Santa Clara Fire Department, in good condition. This organization had but a short-lived existence. It was within a year disbanded, the property delivered over to the Council, and, up to 1869, Oakland had little or no means of resisting the fire element.

The present Department was organized March 13, 1869, under the provisions of an ordinance approved February 4, 1869, by the election of John C. Halley as Chief Engineer and Thomas McGuire and George Taylor, Assistants, who succeeded John Scott, Chief, and John C. Halley and W. W. Moore, Assistants, acting under authority of a previous organization. The apparatus of the Department comprised a third-class Amoskeag fire-engine, purchased by the city, and a hose-carriage procured by funds temporarily advanced by Col. John Scott. The organization of the Department is at present composed of a Chief Engineer, two Assistant Engineers, and a Superintendent of Fire Alarm and Police Telegraph, while its force consists of four steamers, five two-wheel hose-carts, carrying three thousand seven hundred feet of hose, two Hook and Ladder trucks; fifty-eight officers and men, one hundred and sixty hydrants, five cisterns, and forty-six fire-alarm stations. Water for the use of the Department is supplied by the works of the Contra Costa Water Company.

The following are the Fire Companies in the Department:—

Steam Fire Engine Company No. 1.—Located on Fifteenth Street, near City Hall; Third Class Amoskeag engine, drawn by two horses; and hose-reel carrying eight hundred feet of rubber hose, drawn by one horse. The engine driver, who acts as stoker, and hose-cart driver are permanently employed. These, together with the Engineer, Foreman, and five extramen, who do duty only when alarmed, constitute the entire company.

Steam Fire Engine Company No. 2.—Located on Sixth Street, between Broadway



Edward Nichols

and Washington; second class Silsby Rotary Engine, drawn by two horses; and hose-reel, carrying seven hundred and fifty feet of rubber hose, drawn by one horse. The engine driver, who acts as stoker, and hose-cart driver are permanently employed. These, together with the Engineer, Foreman, and five extramen, who do duty only when alarmed, constitute the entire company.

Steam Fire Engine Company No. 3.—Located on Eighth Street, between Campbell and Willow; one second class Rotary Engine complete, drawn by two horses; and hose-reel, carrying seven hundred and fifty feet rubber hose, drawn by one horse. The engine driver, who acts as stoker, and hose-cart driver, are permanently employed. These, together with the Engineer, Foreman, and five extramen, who do duty only when alarmed, constitute the entire company.

Steam Fire Engine Company No. 4.—Located on East Fourteenth Street, near Thirteenth Avenue; second class Amoskeag Engine, drawn by two horses; and hose-reel, carrying seven hundred and fifty feet of rubber hose, drawn by one horse. The engine driver, who acts as stoker, and hose-cart driver, are permanently employed. These, together with the Engineer, Foreman, and five extramen, who do duty only when alarmed, constitute the entire company.

Hook and Ladder Company No. 1.—Located on Sixth Street, between Broadway and Washington Streets; first class Hayes Patent Fire Escape Truck, and the usual equipments attached to truck companies. The driver and tillerman are permanently employed. These, together with the Foreman and nine extramen, who do duty only when alarmed, constitute the entire company.

Hook and Ladder Company No. 2.—Located on East Fourteenth Street, near Thirteenth Avenue; one Hook and Ladder Truck, drawn by one horse, and the usual equipments attached to truck companies. The driver is permanently employed.

Hose Company No. 1.—Located on Sixth Street, between Broadway and Washington Streets. The hose-reel is two-wheeled, drawn by one horse, and carries six hundred and fifty feet rubber hose. The driver is permanently employed. These, together with the Foreman, and five extramen, who do duty only when alarmed, constitute the entire company.

THE MOUNTAIN VIEW CEMETERY.—As early as 1863, the design of opening a cemetery along the foothills of Oakland was discussed, and in December of that year a few public-spirited men formed an association under the name of the "Mountain View Cemetery Association," and fixed the number of Trustees at twelve, the names of whom are: Hiram Tubbs, Geo. E. Grant, A. M. Crane, J. A. Mayhew, Rev. S. T. Wells, S. E. Alden, Rev. H. I. Brayton. Dr. S. Merritt, J. E. Whitchee, R. W. Heath, Wm. Faulkner, and J. S. Emery. Early in 1864 the Association organized by electing Dr. S. Merritt President, J. E. Whitchee Secretary, and Hiram Tubbs, Treasurer.

In the same year by-laws were adopted, a suitable site was selected, and bonds were issued for its purchase, and thus the Mountain View Cemetery came into existence. Rev. S. T. Wells was elected as the first Superintendent, and remained in that capacity

until the end of 1870. Under his direction avenues were opened, and some plots surveyed, and prepared for occupancy.

In accordance with the salutary resolution, that all profits accruing under said organization, from the sale of lots or otherwise, shall, after paying for the ground, be expended in improving and ornamenting said cemetery, and incidental expenses, the Trustees immediately began the work of improvement and ornamentation. Fred. Law Olmstead, the architect of Central Park, New York City, prepared a general plan which has been but slightly and not essentially modified. In harmony with his instructions and explanations the cemetery has been opened and improved, and now begins to show the imposing symmetry and beauty which have been taking form for many years.

In 1871 Rev. S. T. Wells resigned, and William Collins was elected Superintendent, a position which he has held ever since. At the same time Gen. R. W. Kirkham was elected President of the Board of Trustees, and David E. Collins chosen Secretary. Since that date the cemetery has been rapidly improved, and has attained a widely extended reputation for the beauty of its site, the charming effect of its landscapes, and its peaceful seclusion. The finances of the association were ably managed and rigidly economized by its very efficient and lamented treasurer, Dr. E. P. Sanford. Within the last few years the association has been able to cancel all its financial obligations, and now carries only an inconsiderable debt arising from incidental expenses. The history of the Mountain View Cemetery has been one of steady and unobstructed progress, and in large measure its success has been owing to the efficiency and vigilance of its present superintendent. During the present year he was granted a leave of absence to visit the East and Europe, and was requested to gather what new information he could regarding cemeteries—such information at least as would be applicable to the cemetery which he superintends: at the present writing he has not yet returned.

From the beginning Hiram Tubbs has manifested unceasing interest in the growth and advancement of the cemetery, and has been actively supported by a generous and intelligent body of men. The public spirit which the Trustees have invariably shown is deserving of the highest commendation.

Various changes have taken place in the members of the Board and in the officers of the Association; but in every case the Trustees and officers have shown exceptional fidelity. From 1875 to 1881 John S. Collins acted in the capacity of Secretary, and proved himself an efficient and popular officer. Since that time no change has been made in the officers of the association. At the present time the following are the names of the Trustees and Officers: Trustees, Hiram Tubbs, A. K. P. Harmon, A. Chabot, Geo. E. Grant, Peter Thomson, R. W. Kirkham, Walter Van Dyke, J. S. Emery, E. S. Davis, J. W. Carrick, C. W. Kellogg, and W. C. Mason. The officers are: R. W. Kirkham, President; A. K. P. Harmon, Vice-President; David E. Collins, Secretary; W. C. Mason, Treasurer; Geo. L. Nusbaumer, Engineer; Messrs. Tubbs, Harmon, and Thomson, Finance Committee; Messrs. Harmon, Chabot, and Tubbs, Executive Committee; William Collins, Superintendent.

Mountain View Cemetery is about two miles from Oakland, and its approach is the finest drive in Alameda County.

THE OAKLAND BANK OF SAVINGS.—This bank was organized August 13, 1867, with the following directors, A. C. Henry, Edward Hall, Samuel Merritt, P. S. Wilcox, W. W. Crane, Jr., with a capital stock of \$150,000, which on March 30, 1869, was increased to \$300,000, and by further action of the stockholders, May 9, 1871, was increased to \$1,000,000, divided into ten thousand shares of one hundred dollars each. The subscribed capital stock paid up in United States gold coin is \$475,000, with a reserve fund of \$28,500. The bank is situated at the corner of Twelfth Street and Broadway, and was built in 1876. The officers at present are: Directors, Francis Blake, W. E. Miller, Samuel Merritt, Henry Rogers, A. W. Bowman, W. A. Aldrich, J. E. McElrath, R. E. Cole, E. C. Sessions; Finance Committee, E. C. Sessions, A. W. Bowman, W. E. Miller; President, E. C. Sessions; Cashier, W. W. Garthwaite. The bank draws direct on London, Dublin, Paris, and Berlin; the San Francisco correspondents being, the Anglo-Californian Bank (limited), and the Bank of California. New York correspondents, the Ninth National Bank; New York, and Messrs. Laidlaw & Co.

THE UNION SAVINGS BANK OF OAKLAND.—This bank commenced business in July 1869, near the corner of Broadway and Eighth Streets, the President being A. C. Henry, and the Cashier, H. A. Palmer. The capital stock was originally \$150,000, which, in a few years, was increased to \$450,000. In 1871 the present building at the corner of Ninth Street and Broadway was constructed, whither they moved on the 1st of May of that year. In 1875 the bank was reorganized under the Civil Code, when it separated its commercial from its saving business, and transferred the former to the Union National Gold Bank, with the same management, saving the election of Hon. J. West Martin as President in the place of A. C. Henry. The status of the bank on December 31, 1882, was most satisfactory. The present capital, fully paid, is \$200,000, with a reserve fund of \$100,000. The officers of the bank are: J. West Martin, R. W. Kirkham, A. C. Henry, Hiram Tubbs, John C. Hays, D. Henshaw Ward, R. S. Farrelly, H. A. Palmer, Socrates Huff, W. W. Crane, Jr., Samuel Woods; President, J. West Martin; Vice-President and Treasurer, H. A. Palmer. The bank does a purely "savings" business, investing its funds in mortgages, etc.

UNION NATIONAL BANK.—This institution was organized July 1, 1875, under the National Banking Act of the United States, and succeeded to the commercial business of the Union Savings Bank. The following were the first officers: A. C. Henry, President; H. A. Palmer, Cashier; A. C. Henry, J. West Martin, R. W. Kirkham, D. Henshaw Ward, H. A. Palmer, Directors; the capital being \$100,000. The bank remained under this management until October 1, 1881, when Mr. Henry was succeeded on his resignation by H. A. Palmer, who was elected to the Presidency, and Charles E. Palmer, Cashier. On March 8, 1881, the institution was changed under the Act of Congress to the Union National Bank, the style it at present bears, while it transacts its business in the same building as does the Union Savings Bank, the organization of officers being identical with it save as regards the President and Cashier.

FIRST NATIONAL BANK OF OAKLAND.—This bank was originally organized as

the First National Gold Bank in May, 1875, with the following officers: B. F. Ferris, President; E. Case, Vice-President; G. M. Fisher, Cashier; B. F. Ferris, E. Case, F. Delger, C. H. Twombly, W. Newcomb, A. Eberhardt, P. C. Huntley, V. D. Moody, J. E. Ruggles, G. M. Fisher, S. N. Putnam, Directors. In 1876 V. D. Moody was elected to the presidency under whom, and with the same name it was conducted. In 1878 Mr. Twombly was elected Cashier. On March 8, 1880, the institution was reorganized under the style of the First National Bank of Oakland, with the same management, and in February, 1883, moved to No. 1002 Broadway, where they are now located. The present officers are: V. D. Moody, President; B. F. Mann, Vice-President; C. H. Twombly, Cashier; A. D. Thompson, Assistant Cashier; A. Chabot, L. C. Morehouse, J. E. Ruggles, B. F. Mann, C. H. Twombly, A. J. Snyder, F. K. Shattuck, W. P. Jones, V. D. Moody, Directors. Financially the bank has been a success. For the first twelve months of its operations it paid one per cent, per month, since which time it has been paying three-quarters per cent. per month, and having a surplus fund of \$50,000.

WEST OAKLAND MUTUAL LOAN ASSOCIATION.—This association was incorporated July 21, 1875, with a capital stock of \$600,000. It has a membership of three hundred. Office, Masonic Hall, Corner of Willow and Seventh Streets. This is a mutual banking association, whose object is to assist persons in obtaining homes, saving their earnings, and to aid them in improving and acquiring real and other property. This society is in successful operation, with a paid up capital of over \$250,000. It has issued a fifth series of stock, and its shares were all taken before the time fixed for closing the books arrived. It is now making loans to its members at six per cent. per annum. Its officers are: N. Giamboni, President; G. W. Drake, Vice-President; William Wyner, Treasurer; and A. Sharboro, Secretary.

COSMOPOLITAN MUTUAL BUILDING AND LOAN ASSOCIATION OF EAST OAKLAND.—This institution was organized on August 6, 1879, having as its objects the raising of funds in shares not exceeding two hundred dollars each, payable in periodical installments, and to make loans to its members, for the purpose of aiding them in acquiring and improving real estate, taking mortgages or other securities for such loans. The original incorporators were: C. W. Beach, M. S. Hind, G. W. Watson, W. K. Vanderslice, Joseph Chessman, J. Howard Hayes, Robert R. Yates, H. C. Logan, John H. Sumner. Capital stock six hundred thousand dollars, divided into three thousand shares of two hundred dollars each. The first officers were: G. W. Watson, President; W. K. Vanderslice, Vice-President. The present Directors, are W. K. Vanderslice, M. W. Wood, C. M. Nichols, William Hoffschneider, F. H. Kellogg, Samuel Baker, David Hughes, R. R. Yates, J. L. Lyon; President, W. K. Vanderslice; Vice-President, M. W. Wood; Treasurer, E. G. Mathews; Secretary, George Atkinson. Offices, No. 628, Central Avenue, East Oakland, and No. 513 California Street, San Francisco. The concern is in a very flourishing condition under prudent and economical management.

OAKLAND GAS LIGHT COMPANY—This association was incorporated in 1866, its first street-lamps being lighted January 1, 1867. Originally the works of the company

were situated on the block bounded by First, Second, and Washington Streets, and Broadway. In the year 1877, however, the company erected buildings upon the block of land bounded by First, Second, Grove, and Jefferson Streets, comprising a double lift-holder of five hundred thousand cubic feet capacity, a purifying-house one hundred and fifty-four feet long by thirty-six feet wide, a meter-house of proportionate size, and a tower-scrubber, with independent water works. The mains of the company extend from Alameda to Brooklyn, and from Fruit Vale to the water's edge, while the number of miles of mains laid is sufficient to supply a city of three times the number of inhabitants that Oakland has. The original twenty-five street-lamps started with have increased to eight hundred and twelve; and the coal used in the manufacture of gas is English and Australian. The officers of the company are: J. West Martin, President; W. W. Crane, Jr., Vice-President; Joseph G. Eastland, Secretary.

PIONEER CARRIAGE MANUFACTORY.—With so large a proportion of wealthy people as Oakland has in its population, it is not surprising that carriage building should be an extensive industry in that city. The business has grown with the growth of the city, until now there are nearly thirty establishments, among the largest of which is that of Sohst Brothers, at the northeast corner of Eighth and Franklin Streets. Sohst's building was erected in 1873, and exteriorly is a fine-looking frame construction. It is fifty by seventy-five feet in size, two stories high, of good proportions, and is set off with a tasteful cornice, which arches symmetrically on the Franklin Street front, and gives the building a very fine appearance. The lower story is occupied as a carriage making and repairing shop, and for horseshoeing. There are four forges kept constantly in full blast. The upper story is used for carriage painting and trimming. A patent hoisting apparatus is used to transfer vehicles from one floor to another. This is a model establishment, and a credit to the city.

WESTERN CARRIAGE COMPANY.—During the month of March, 1882, George H. Boneboake commenced business in the buggy and carriage line, at the corner of Tenth and Franklin Streets in this city. Mr. Boneboake shipped in car-load lots from the East, and carried on the business alone until about the 1st of June, 1882, at which time he was compelled, by constant demand and increasing trade, to get assistance in the way of a good salesman and manager of the retail business in Oakland. At this time, after long and diligent searching, he at last succeeded in obtaining the services of H. C. Newby, of San José, California, who had been traveling salesman for San Francisco houses for the previous two years. Mr. Newby took charge of the business on the 1st of June, 1882, and moved the entire stock to No. 917 Washington Street, corner Ninth, and conducted the business, in connection with Mr. Boneboake, in a successful manner until about the 25th of July, 1882, when the Western Carriage Company was organized, and incorporated under the laws of the State of California, with the following named gentlemen as stockholders, directors, and officers, with a paid up capital of ten thousand dollars: George H. Boneboake, H. C. Newby, G. F. Wright, Charles F. Pierce, and C. G. Bishop as directors and stockholders. Officers elected by above Board were: G. F. Wright, President; Charles F. Pierce, Secretary; George H. Boneboake, Treasurer; and H. C. Newby, Business Agent.

OAKLAND CARRIAGE FACTORY.—This industry was begun in January, 1873, by M. W. Allen, on the corner of Franklin and Tenth Streets, where he conducted the business until 1878, when he moved to his present location, on the corner of Webster and Tenth Streets. He does a general carriage and wagon making business, also general repairing in his line. He has a full outfit of machinery for conducting an extensive business, and from ten to twenty men are employed. In 1878 he erected his present building, which is seventy-five feet square and two stories high.

OAKLAND BOILER WORKS.—This industry is located on the corner of Third and Franklin Streets, Oakland. It was begun in April, 1880, by Clark & Woolley, the present proprietors. They are engaged in making boilers, steam fixtures, etc. Eight men are employed.

OAKLAND IRON WORKS.—In 1871, Mr. Ives Scoville began operations on a small scale, in a building located on Second Street, between Washington and Clay Streets. Here he struggled along as best he could, doing the most of the work himself; but in a short time he began to find that his field of operations was widening, and more men were requisite to do the work which found its way to his shop. In January, 1882, he associated T. H. Eichbaum in the business with him, and the works were moved to the corner of Second and Jefferson Streets, where a building with one hundred feet frontage on each street and two stories high was erected. A general jobbing and manufacturing business in their line is conducted, including machinery, steam-engines, etc. There is also an extensive foundry connected with the works. Fifty hands are continuously employed.

JUDSON MANUFACTURING COMPANY.—This vast enterprise, which is located on the northern water front of the city of Oakland, was begun in June, 1882. A company was formed with a capital stock of \$1,000,000, of which Egbert Judson was chosen President, A. Chabot, Vice-President, C. B. Morgan, Secretary, and the First National Bank of Oakland, Treasurer. The Directors are as follows: C Webb Howard, A. J. Snyder, Volney D. Moody, and George C. Perkins. The General Manager is Charles S. Chamberlain, and he is assisted by John Finn. The works are located at the foot of Park Avenue, and the site comprises nine acres, on which there are erected the following buildings: pattern shop, forty by one hundred feet; file shop, forty by one hundred feet; machine shop, eighty by one hundred feet; tack factory, forty by one hundred feet; lumber-shed, twenty-five by sixty feet; forging building, twenty by one hundred and eight feet; bolt-works, fifty by one hundred and eight feet; tumbler-shed, twenty by one hundred feet; foundry, fifty by one hundred feet; coke-shed, twenty by one hundred feet; scrap-iron-shed, twenty-five by fifty feet; rolling-mill, ninety by one hundred and twenty feet; iron warehouse, forty by one hundred and twenty feet; and a wood-working-shop, forty by one hundred feet. This company is engaged in the manufacture of the Victor mowing-machines, and it is intended to have one thousand of them completed by the 1st of May, 1883. Everything connected with these machines is manufactured here. In one department all the wood-work is made, and in the foundry the castings are run. The capacity of this branch of the works will be, when all is in running order,

eight completed machines a day, or about two hundred per month. In the same building with their wood-working department, is the machinery for box-making, comprising a planer, saws, etc. The boxes are used for shipping nails, and small parts of the mowers. In another building the process of file-making may be seen. The steel is shaped first and then tempered, and then placed in a machine and cut. There are now four cutting-machines in running order, but others will soon be put in, so that files of every description can be cut. The capacity of each machine now running, is fifteen dozen per day, but when all the machinery is in, the works will be able to turn out two hundred dozen files a day of twelve hours, or four hundred dozen in twenty-four hours. In the rolling-mill there will be two trains of rolls, one of which is ten and the other sixteen inches wide. These will be driven by an engine of one hundred and eighty horse-power, the steam for which is generated in four large boilers. There are four furnaces so constructed that the heat from them passes under the boilers, and generates the steam used for running the engine, thus saving that much fuel, which, by the way, is a great item of expense on the Pacific Coast, where all our coal has to be shipped to us. The capabilities of these mills will be about thirty tons of iron every twelve hours. As it is intended to work both day and night in all departments as soon as all the machinery is complete, the capabilities of these mills will be double the figures named above. At the present time two hundred men are employed, but probably not less than five hundred will be required when the works are completed. In the foundry they are prepared to do all the work necessary for all the work done in the different departments. They are now casting the large heavy frames for the nail machines, all of which are being made at their own works. There is an extensive machine shop connected with the works where all the iron-work is turned out. In this is a full outfit of drills, lathes, planers, and whatever else is necessary for excellent and expeditious work. In the bolt-works there are the necessary dies and other machinery for that class of work. In the tack-works there are four machines which are fed by hand, and several automatic feeders, one of which has a capacity of thirty-five thousand tacks an hour. A number of horseshoe-nail machines will be put in operation in a short time, also several of other tack and finish-nail machines. The *modus operandi* of nail-making may not be without interest in this connection. The material from which nails are cut comes to the works in the shape of scrap-iron, which comprises all the odds and ends of creation, seemingly; a large percentage of which, however, is old railroad rails. These rails are cut into proper lengths, and the space between them, or, in other words, the hollows on the sides of them, are filled with smaller bits of scrap-iron. The whole mass is then heated to a proper degree and passed through a train of rolls. The heating and rolling process goes on until the the iron has become one homogeneous mass, and is rolled to the required thickness for the nail desired to be manufactured from it. This leaves it in sheets ranging from six to twelve inches wide and from three to six feet long. These sheets are then "scaled," as it is called, that is, placed in an acid bath, where all particles of oxydized iron, which may have formed on the sheet during the heating and rolling process, are removed. This leaves the sheet with a grayish appearance, similar to galvanized iron. From the bath the sheets are passed to a sheering machine, and cut into strips just as wide as it is desired to make the length of the

nail. These strips are then ready to be worked up into nails. A strip of iron is placed into a clamp in the end of a rod, and the process of feeding is begun. As nails are always smaller at one end than the other, it necessitates the turning of the strip, as each nail is cut, so that the feeding may be uniform. As the machine operates very fast the feeder has to work rapidly to keep up with its motion. The automatic feeders are so arranged that the feeding is perfect, and no time is lost. The machine, which cuts thirty-five thousand an hour, is fed by four strips at a time. After the nails are cut they are then heated, which process brings out the bluish color seen on all nails. They are then packed ready for shipment. At the present time the only shipping facility accessible to the Judson Manufacturing Company, is the Central Pacific Railroad, but it is intended soon to cut a ship canal from deep water in the bay up to a wharf on the water front of the company's property.

PACIFIC IRON AND NAIL COMPANY.—That the city of Oakland is destined to be the chief manufacturing and industrial center of this coast there can be no doubt. Almost every month of the year witnesses the inception of some enterprise, and though many of them are small at the outset, yet they serve as the central point from which much greater things will be developed in the near future. But occasionally an industry springs into existence almost full fledged, having sufficient capital to back it, and the necessary enterprise in its projectors to push it to a grand success from the very first. In this last category may well be placed the Pacific Iron and Nail Works. George T. Walker, the superintendent of these works, was connected, in a similar capacity, for many years, with an extensive establishment of the same character in Omaha, Nebraska, and during this time became acquainted, in a business way, with the firm of W. J. Houston & Co., of San Francisco. He also made inquiries of friends who resided on the coast in regard to the feasibility of beginning an enterprise of this kind at some suitable location. Having satisfied himself that the project was practicable he came to San Francisco for the purpose of making a personal inspection of the field, and was soon convinced that there was one here that justified the establishment of among the grandest enterprises of the kind west of the Mississippi River. In casting about for a site for the works he soon determined that Oakland was the most eligible of any place on the coast. He then began the task of interesting capital in his enterprise, and soon had a company formed with a capital stock of five hundred thousand dollars, with P. A. Wagner as President; — Harker, Vice-President; W. F. Perry, Secretary, and George T. Walker, Superintendent. The First National Gold Bank of San Francisco is Treasurer. The stockholders are as follows: P. A. Wagner, — Harker, W. A. Starr, W. J. Houston, W. F. Perry, — Morgan, William Man, — Wilson, T. F. Hays, George Walker, and — Coogan. The organization of the company was effected in May, 1882. But with the site chosen and the company formed the battle was not ended, nor was the outlook rose-strewn by any means. The place selected for the works was at the foot of Market Street, between the railroad which runs along First Street and the Creek, thus giving them the double shipping facilities of rail and water, placing them in position to dispatch their product to any market in the world. But the people of Oakland know that to get a perfect title to a parcel of land on the water front of this city is no child's play, nor the work

of a day. The legal acumen of T. C. Coogan, one of the stockholders and attorney for the company, assisted by G. T. Walker and W. F. Perry, was now brought into requisition, and after transferring and re-transferring titles, claims, and counter-claims almost labyrinthian, the Gordian knot of title was finally straightened out, and eight and a half acres of land secured, with a good prospect of adding two and a half more to it in the near future. This gives them a water frontage of three hundred feet. The question of title being satisfactorily settled, and the purchase duly made, active plans for buildings, wharves, etc., were immediately set on foot, and in the fall of 1882, operations were begun. A wharf, eight hundred feet long, has been constructed, which is forty feet wide at the end next the creek. A double track has been laid upon the wharf, with the necessary switches, for the expeditious handling of cars, and a large scale placed in position, so that stock and material can be weighed on the cars. A dredger was put to work and a channel wide enough for all practical purposes, and fifteen feet deep at low tide, was scooped out, the dirt from which was utilized in filling in for the building foundations and other necessary railroad tracks about the premises. There are at present three buildings: the rolling-mills, nail works, and machine shop. The rolling-mill is one hundred by one hundred and sixty feet in size; the nail factory, one hundred by one hundred and thirty feet, two stories, with thirteen-foot ceiling, and the machine shop is forty-two by seventy-two feet. In addition to these buildings there is a warehouse twenty-four by sixty feet, and an office fourteen by twenty-six feet. Another building will be constructed in the near future in which to manufacture kegs. All the shops are roofed and sided with galvanized iron. It has been no easy task to secure suitable foundations for the buildings, owing to the marshy character of the land where they are located, but Mr. Walker's skill and judgment have proved equal to the emergency, and there is now no better foundation under any building in Oakland. Under all buildings in which heavy machinery was to be placed trenches were excavated to a depth sufficient to reach the solid clay, which were filled with concrete to the surface, and on this a brick foundation for the building was laid. Under the ponderous Corliss engine a concrete foundation, twelve feet deep, twelve feet wide, and thirty-six feet long was made, which rests on a bed of solid clay, and will never give way. For driving the machinery of the rolling-mills a five hundred horse-power engine, of the Corliss pattern, manufactured by Hinckley, Spears & Hays, of San Francisco, will be used. The diameter of the fly-wheel of this engine is seventy feet, and the weight of it is sixty tons. In the nail factory seventy machines will be put in operation, ranging in size from the smallest lath nail to a No. 90 spike. The most of these will be automatic self-feeders, and all of them of the latest and most improved patterns. The automatic machinery has been selected by Mr. Walker with special reference to the quality and quantity of the work which they will perform. There are twenty-six grindstones, each weighing about three tons, on the same floor with the nail machines, conveniently arranged for the use of the operators of the machines. The stones are used for grinding the knives of the nail machines. As these implements are ground with the stones dry there is naturally a great amount of steel and sand that would be flying about the room and become very injurious to the workmen, but this is all obviated by an improved exhaust fan,

the device of Mr. Walker, which draws the dust under the stones and deposits it where it can do no harm. After the nails are cut they drop into hoppers which are arranged on the lower floor, and are then packed in kegs and made ready for shipment. The capacity of the nail-works is from eight hundred to one thousand kegs a day. The engine which drives the nail-works was constructed by Scoville & Co., of Oakland, and is of three hundred horse-power. As far as it has been possible all machinery in the works has been procured on this coast. The nail machines and rolling-mills had to be exported from the East. There will be six other engines in use to drive the machinery, when it is all in operation. A twenty horse-power engine is used to drive the blast, shears, and elevator. The other engines will range from twelve to fifteen horse-power, and will be used for running shears, etc. There are two trains of rollers. There are four furnaces for puddling the iron in the rolling-mill, and two for heating it in the nail factory. The supply of material for the manufacture of nails is derived chiefly from scrap-iron and old rails. The amount of such material is practically unlimited. Already ship-loads of it have been received from India, Oregon, and elsewhere throughout the world.

LANZ BROS. SOAP WORKS.—This industry is located on Third Street near Market. The business was started in Alvarado in May, 1875, where it was conducted until April, 1882. The capacity of the works is twenty tons per week. Chemical Olive, Borax, Toilet, Tar, etc., are some of the prominent brands of soap manufactured at these works.

CALIFORNIA HOSIERY COMPANY.—This industry was put in operation in March, 1881, by the California Hosiery Company, which is composed of the following named gentlemen: Wm. H. Jordon, J. A. Swenarton, J. Williams, Q. A. Chase, J. Kryster, W. Everson, J. B. McChesney, of Oakland, and M. T. Brewer, and J. F. Farnsworth of Sacramento. The first President of the company was Wm. H. Jordon, and J. A. Swenarton occupied the position of manager, and J. Williams, Secretary. At the expiration of a few months Peter Thomson succeeded Mr. Jordon as President, which position he has since held. The present manager is J. Lee, and J. Williams continues to hold the position of Secretary. During the year 1882 the works produced \$219,000 worth of goods, at cost value. The machinery consists of three sets of cards, with the requisite concomitant appliances. The company began operations with a capital stock of \$100,000, which has since been increased to \$200,000. It is proposed to enlarge the works shortly. Location of works, Corner of First and Jefferson Streets, Oakland.

SAMM'S MILLS.—These mills, which are the most extensive in Oakland, are located on the corner of First and Clay Streets. The building was erected and the business begun in 1874, by Jacob Samm. In June, 1880, T. J. Parsons purchased an interest in the mills, and the firm name is now Samm & Parsons. The building is one hundred by one hundred and twenty-five feet, three stories high. There are ten run of buhrs, and the mill has a capacity of two hundred and fifty barrels per day of twenty-four hours. A force of twenty-five men is constantly employed at the mills in the various departments. The mills are fully supplied with machinery of the best

and latest styles, which is driven by an engine of one hundred and twenty-five horsepower, the steam for which is generated in two large boilers. Everything in the line of flour, meal, groats, etc., is manufactured at these mills.

OAKLAND CITY FLOUR MILLS.—These mills are located at the corner of Third and Broadway Streets, Oakland, and were erected in 1864. In November, 1876, in some manner a fire originated in the engine-room, early in the morning, and the entire building was destroyed. The mill was immediately rebuilt by Messrs. Babcock & Gould, the owners at that time. In March, 1880, B. E. Hickok purchased the property, and is the present owner. The mill has eight run of stones, with a capacity of one hundred and fifty barrels every twenty-four hours. The machinery in the mill is all of the latest improved patterns, and is driven by an engine of eighty-horse power. The building is seventy-five by seventy-five, and three stories high. Fourteen men are employed. The product of these mills is disposed of in the home market.

WILLIAMSON'S FLOUR MILL.—In 1876 William Williamson, a practical miller of San Francisco, erected a mill in Rio Vista, Solano County, which was at that time one of the most eligible sites in the State for an enterprise of that kind. The business flourished for a few years, but in 1878 a flood submerged all the adjacent islands, and they have not since been reclaimed, hence a large percentage of the business supply was cut off. Finally, in January, 1883, Mr. Williamson determined to transfer his base of operations to Oakland. He thereupon caused the building, including all the machinery, to be placed upon a barge and towed down the Sacramento River, across Suisun, San Pablo, and San Francisco Bays, and up the estuary at the south side of Oakland to the foot of Washington Street, whence it was moved to the corner of Fourth. It contains two run of stones, and all other necessary machinery, which is driven by steam, machinery for grinding oatmeal, pearl barley, cracked wheat, etc., is being added to the mill.

KELLY'S MARBLE WORKS.—J. F. Kelly, the proprietor, began operations at his present place of business, Seventh Street, near Market, in February, 1882. He is engaged in the manufacture of marble mantels, marble and granite monuments, headstones, and building work.

DWYER'S MARBLE WORKS.—Mr. Dwyer began business first in Oakland in 1876, on Broadway, between Thirteenth and Fourteenth Streets. In February, 1880, he moved to his present location, at the southeast corner of Seventh and Castro Streets. He is engaged in the manufacture of marble mantels, granite and marble monuments, headstones, plumbers' slabs, etc.

KNOWLES & CO.'S GRANITE AND MARBLE WORKS.—These works are located at the southwest corner of Seventh and Castro Streets, Oakland. Operations were begun here in February, 1878. Granite and marble monumental, cemetery, and building work is executed at these works. The firm consists of F. E. Knowles and Abel Hosmer.

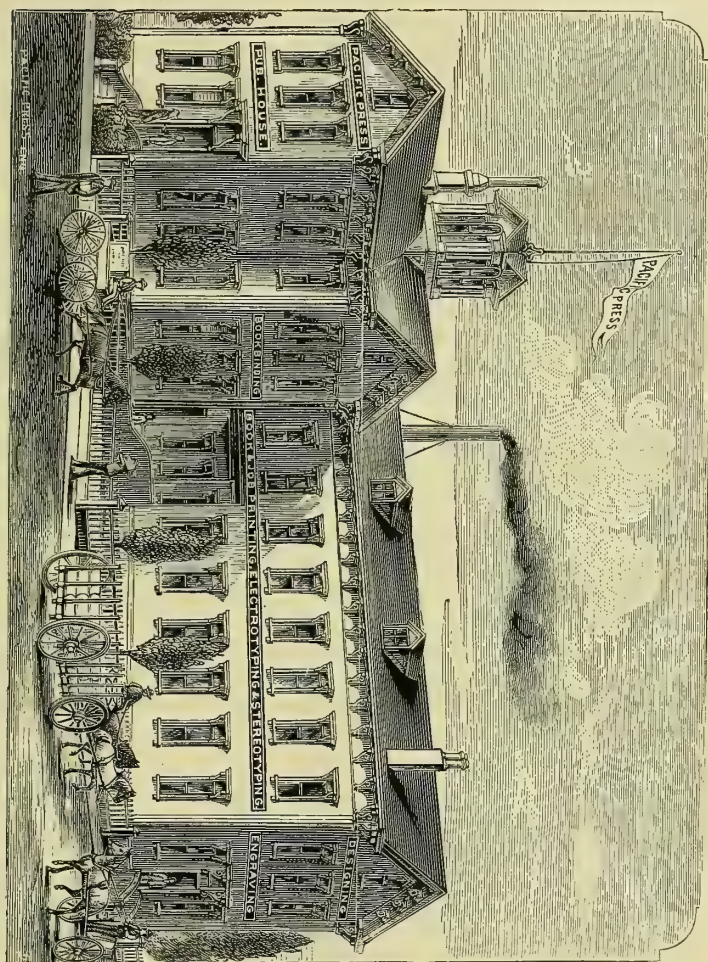
THE PACIFIC PRESS PUBLISHING HOUSE.—The accompanying engraving represents the building known as the Pacific Press Publishing House. The left of the picture represents the Castro Street front (No. 1059, the right being the Twelfth Street front (No. 715). That portion fronting on Castro Street is twenty-six feet front by sixty-six feet deep, having central side wings projecting nine feet from the main frame. It is two stories, basement and attic. This building, together with a one-story brick engine-house in the rear, was erected in 1876. During the course of construction many people were curious to know for what purpose it was intended. Some supposed it to be a school house or seminary, while others conjectured this, that, and the other object. But the surprise of all was complete when the institution developed into a printing-office, in which was placed a large Cottrell & Babcock four-roller press, run by steam, on which was printed the *Signs of the Times*, and books and pamphlets for the Publishing Association.

And when, in 1877, a fine job printing department was added, a great many folks, especially printers, actually laughed at the idea of running a printing business "away out on Castro Street." But when the office turned out the finest work that could be done in the city, even vying with the San Francisco offices, and the tide of work flowed constantly in this direction, the laugh stopped, and business men found that the corner of Twelfth and Castro Streets was not very far from the recognized business centers of the city—and it appeared all the nearer when the low prices were added to the excellent quality of the work.

The same year a book-bindery was added to the institution, as also a large stock of book and newspaper, and printer's stationery. This, in connection with the book-selling business, filled the large building to overflowing; and at the same time the job printing had increased until an additional cylinder press became necessary. In the same year a three-story building, fourteen by twenty-four feet, was erected in the rear of the main building, surmounted by a five thousand gallon water-tank, which was filled by a steam-pump, from a well in the yard, and the Association dispensed with city water. This building is used also for lodging and storage purposes.

In 1878 the Association purchased the lot on Twelfth Street, and erected that portion of the structure, thirty by eighty-four feet, two stories and an attic, and finished to match the other building, with which it is connected at the rear. The job printing department was at once moved into the first story of the new building, and materially enlarged by the addition of a new two-roller Hoe Press and other important facilities. The book, paper, and music composition department was moved into the second story, and the attic was devoted to storage and lodging. While this building was in process of erection, a stereotype and electrotpe foundry was introduced, which has added much to the working capacity of the institution. This now occupies the rear of the first floor of the Twelfth-street house and the former engine-house.

During the summer of 1880 further important improvements were made. The Castro-street building was raised, and the basement enlarged and fitted up for a press-room, an engine-room, and a storage-room for paper. Another press (a Cottrell & Babcock four-roller, double-revolution), the largest book press on the coast, was imported and put in operation. Again in 1882 another book press was added, as also additional machinery in the book-bindery and electrotpe foundry.



PACIFIC PRESS PUBLISHING HOUSE.

The establishment is now a complete home institution, doing a large and ever increasing business. No printing-office on the coast is better supplied with facilities for fine job work, as custom specimens all over the State will attest; and no pains or expense is spared to keep pace with the rapidly advancing new styles in the art. The gentleman in charge of this department has few, if any, equals in the State, having been ranked as an artisan in some of the best offices in the East. The book, paper, and music department is furnished with facilities for an extensive range of work. The electrotype and stereotype foundry is manned with competent workmen, and provided with first-class equipments. The book-bindery is under the direction of one of the very few men on the coast who understand thoroughly all parts of the business. He is lately from the East, and since his arrival has turned out some specimens of blank-book work, and other binding, gilding, and ruling that challenge the admiration of all who examine them. The bulk of the printing-paper, inks, etc., used here is imported directly from Eastern manufactories, which gives customers an advantage in getting work done at this house.

The reputation of the Pacific Press for fine work and square dealing attracted so much attention in San Francisco that in 1879 it became expedient to establish an agency in that city—a project which was carried out to the gratification of many prominent business houses, and profit to the Institution. This branch office, under the management of J. W. Gardner, is now established at No. 529 Commercial Street, at which place a first-class engraver is kept constantly employed.

In the delta of the two buildings (on the corner represented as vacant for the purpose of better showing the plan of the business house), stands a two-story double frame building, also owned by the Publishing Association, which is occupied as a boarding and lodging house, and conducted by the Association, principally for the accommodation of *employés*.

The projectors of this enterprise realized that Oakland, from the very character and standing of its citizens, and the nature of its beautiful situation, would always be a legitimately high-toned city, and have ever aimed to give their buildings and grounds an appearance in keeping with the surroundings, so far as the work of almost continuous improvements would permit. They have endeavored, and with a good degree of success, to demonstrate that large places of business (a few occupations excepted) need not be disorderly eyesores in any community. And whereas some residents in the vicinity were inclined to take exception to introducing a business house in a residence neighborhood, it is evident their objections have been groundless, at least so far as appearance is concerned. And a heavy outlay of means was occasioned by placing large presses and engine in basement apartments to avoid annoyance to neighbors on account of noise. Persons entering the building for the first time always express surprise at the extent of the work carried on as compared with the quiet and orderly appearance outside. This house stands in fair competition with any printing-house or book-bindery on the Coast, for any class of work, large or small. There are employed, in all departments seventy hands, and there is always a busy-bce appearance throughout the interior, while the outward improvement is one of which even handsome Oakland may well feel proud.

OAKLAND BREWERY.—Situated on the northeast corner of Telegraph Avenue and Durant Street; proprietors, Kramm & Dieves. This enterprise was started by a man named Wilmer in the year 1853, where now is the corner of Ninth Street and Broadway, but it was a miniature concern, capable of turning out only from ten to fifteen barrels of beer per month. It afterwards passed into the hands of Joseph Becht, and during the year 1863 was entirely consumed by fire, being, however, rebuilt on the ground on which it formerly stood. In 1867 Mr. Kramm purchased the concern from Mr. Becht, and conducted it for eighteen months. In April, 1869, he admitted Messrs. Mangles and Bose into partnership, and thus it was conducted until the Fall of that year, when purchasing one hundred feet fronting on Telegraph Avenue and Durant Street, the erection of the present brick building, one hundred by fifty feet, was undertaken and completed early in 1870. The Ninth-street business was then transferred to the new brewery, when they first began the use of horse-power. Since that date they have added considerably to their premises until they now own one hundred and thirteen feet on Telegraph Avenue and one hundred and twenty-five feet on Durant Street. In 1876 steam-power was introduced into the buildings, giving the establishment a capacity of eighteen thousand barrels at the present time. The annual manufacture is about fourteen thousand barrels. The Oakland Brewery gives employment to fifteen men, and a sale is found for their produce in all parts of the county of Alameda and city of Oakland.

WASHINGTON BREWERY.—This establishment is located at the corner of Fifth and Kirkham streets, West Oakland, and was completed early in the year 1879 by Bredhoff & Cordes, proprietors. This firm continued until March 1, 1882, when the last-named gentleman disposed of his interest to Mr. Westerman, the firm being now Bredhoff & Westerman. The premises, which comprise the necessary brewing buildings, occupy one hundred and eighty-two feet on Kirkham Street, and one hundred and seventy-five on Fifth Street. The capacity of the establishment is thirty barrels per day, but at present is not run to its full power.

REUTER'S DYE WORKS.—This establishment was originally established in February, 1875, by Charles Reuter, at 912 Broadway, in connection with which he conducted the practical portion of the work at Nos. 833-835-837 Washington Street, Oakland. In the spring of 1881 both places were consolidated, and at the latter address twenty-two hands find constant employment. These works have a large connection throughout the State and in the city of San Francisco, the business occupying the two stories of the large building.

OAKLAND PLANING MILLS.—Proprietors, Burnham, Standeford & Co. This establishment, situated on First, Second, and Washington Streets, is the largest in the county, and will compare favorably with any other of the same kind in the State. It was originally started in June, 1868, by O. H. Burnham, D. W. Standeford, and ——— Robinson. In 1872 Mr. Robinson sold his interest in the concern to W. N. Miller, who in turn disposed of the share to L. G. Cole, who is at present the junior partner. To give an idea of the magnitude of this enterprise it may be mentioned that it was

commenced in one building, still standing, at the corner of First and Washington Streets; as business increased the contiguous property was purchased until at the present writing they occupy no less than twenty-one lots. There is a capacity in the mills for fully a hundred and twenty-five men, but only eighty find constant employment. They manufacture, to an enormous extent, moldings, brackets, frames, sashes, blinds, stairs, doors—in fact, all descriptions of wood-work finish, while their business connections extend all over the Pacific Coast, Arizona, Mexico, and the Territories, with portions of Central America.

TRUNK MANUFACTORY OF BT. COLIN.—This enterprise, located at No. 415 Thirteenth Street, Oakland, was established in the year 1866, under the Grand Central Hotel. After the destruction by fire of which in 1880 it was moved to its present location, where all kinds of trunks and valises of the best quality are manufactured.

ODD FELLOWS LIBRARY OF OAKLAND.—August 12, 1867, there was a meeting of Odd Fellows for the purpose of founding a library, and it was determined to establish an association, to be composed of such members of the Order as might choose to unite with it. The first event of any importance was the transfer of two hundred and ninety-five volumes from the "Oakland Philomathean Library Association," immediately followed by a large donation from W. W. Crane, Jr., and in quick succession by smaller donations from many individuals. For nearly four years the library attracted but comparatively little attention from the Order, and its friends often despaired of its success. A radical change, the basis of its present organization, was decided upon June 5, 1871; the association formally dissolved, handing over its assets to a Board of Trustees, consisting of an equal number of members from each of the lodges in the city. Oakland Lodge, No. 118, and University Lodge, No. 144, were the only lodges then in existence. These lodges had agreed to assume the trust, and to pay the sum of fifty cents per quarter for each member in good standing. Thus every Odd Fellow became entitled to the benefits and privileges of the library. January 10, 1872, Fountain Lodge, No. 198, was instituted, and was admitted into the association. Some years later Harbor Lodge, No. 253, and Porter Lodge, No. 272, were admitted, and are now contributing to the library, and the association is open for the admission of any lodge that may hereafter be instituted in this city. There is at present in the library or in circulation four thousand three hundred well-selected volumes. The library is open all day except Sunday. The Odd Fellows and their families are the only ones entitled to draw books from the library, but others are always welcome to examine the books in the library for reference, and many are daily availing themselves of the privilege.

THE OAKLAND FREE LIBRARY.—Perhaps no institution in the city is held in more esteem, judging from the patronage it receives, than the Oakland Free Library. Its clean and neat rooms, and well-stored shelves, and ample newspaper files, form a healthful attraction which the public is not slow to perceive. The history of its foundation and growth to its present degree of excellence is not altogether an uneventful one. The Oakland Library Association was organized March 5, 1868, by a party of citizens called together for that purpose, upon which occasion some \$6,000 were



John H. Prowse

subscribed, Dr. S. Merritt being its first President. It originally occupied rooms in the Holmes building, corner Eighth and Broadway; removing from there to Eleventh and Broadway, to the rooms now occupied by Dr. Cole. In the early part of 1872, a building (which forms the upper part of the present library) was erected on the corner of Twelfth and Washington Streets, on a lot given the association, we believe, by Edward Tompkins. Owing to lack of funds and financial difficulties generally, the association found it necessary, in 1874, to dispose of this lot, which they did for \$12,500 cash; and the City Council giving them permission to use a corner of the City Hall lot for that purpose, the building was accordingly transplanted to the site upon which it now stands. After years of trial it was found to be next to impossible to sustain the library; the membership being so small as to render the yearly sum from the dues (\$6 per member) insufficient to cover expenses; and in 1878, under the Act of the Legislature known as the "Rogers' Act for the establishment of Free Libraries in the State," and upon conference with the City Council, it was decided to surrender it to the city on condition of its being sustained thereafter by such tax as the authorities might deem proper to levy for such purpose. The transfer was accordingly made; the building (costing originally \$3,600), between four thousand and five thousand books, and above \$2,300 in cash, forming the nucleus of the new library. The Free Reading Room on Eleventh and Washington Streets was also merged in the library, adding \$619, a few books and fixtures. The library building was raised, and the present reading-room erected under it. The old association had a paying membership of three hundred. The Free Library of to-day has a membership of over five thousand, the number of books circulated per month averaging between eight thousand and nine thousand. Of the total volumes withdrawn an average of sixty per cent. are fiction, the remaining forty per cent. embracing *belles lettres*, history, geography, travels, poetry, and religion, in the order named. In November, 1878, the date of its opening as a free institution, there were upon the shelves four thousand three hundred and ninety-two books. To-day it owns eight thousand two hundred and thirty-five, exclusive of those worn out and cast aside; of this number two thousand and sixteen have been added in the last year. The reading-room is well furnished with the news and periodical literature of the day, receiving between twenty and thirty magazines, and over one hundred papers; and the branch rooms, of which there are two, one at East Oakland and one at West Oakland, being equally well supplied. The library proper and reading-rooms are managed by a Board of five Trustees, elected by the people. The force of *employés* consists of Miss Ina D. Coolbrith, Librarian, who has held the position since October, 1874; H. F. Peterson, First Assistant; Ina L. Peterson, Second Assistant, who have also had more or less experience in the library during nearly the same length of time, though they were only regularly employed when the library became free. D. P. H. Brown, Janitor and Curator of Central Reading Room; L. D. Mason and Miss C. E. Bromley, Curators of West Oakland and East Oakland branch rooms. The monthly salaries are: Librarian, \$100; First Assistant and Assistant Secretary, \$60; Second Assistant, \$45; Curators, \$60 each. The Library Association is extremely fortunate in having at its head as trustees public-spirited gentlemen of irreproachable character, and possessing sound business sense, while to the

superior management of the Librarian much of the popularity and efficiency of the library is due. Miss Ina D. Coolbrith, the Librarian, will be recognized by all competent literary critics as a woman of genius, and one among the best, if not the very best, of California's daughters of song. Those who have read with pleasure the poetical contributions by Miss Coolbrith, in the *Overland*, in its best days, will realize the truth of what we write. The following information respecting this institution may prove interesting: On May 1, 1883, the total number of books in the library was nine thousand six hundred and seventy-two, of which five thousand two hundred and eighty were purchased since October, 1878. The average circulation is between eight and nine thousand, while there are six thousand eight hundred and eighty-two members. The present officers are: C. W. Kellogg, President; E. M. Lorey, Secretary; H. F. Peterson, Assistant Secretary; Trustees, O. H. Burnham, Wilber Walker, E. A. Trefethen, E. M. Long, C. W. Kellogg.

OAKLAND DAILY EVENING TRIBUNE.-The first number of the Oakland *Daily Evening Tribune* was issued on Saturday evening, February 21, 1874, by Ben. A. Dewes and George B. Staniford, under the firm name of Dewes & Staniford. The sheet was insignificant in size, but very respectable in its typographical appearance and editorial tone, being the joint production of two excellent printers and journalists. The idea on which the enterprise was based can be best expressed probably by a quotation from an editorial printed in the first number of the paper. It reads as follows: "There seems to be an open field for a journal like the *Tribune* in Oakland, and we accordingly proceed to occupy it, presenting the *Tribune*, which is intended to be a permanent daily paper, deriving its support solely from advertising patronage." Previous to the production of this unpretending sheet Oakland journalism was at a low ebb. The ability and energy displayed by the proprietors immediately attracted attention, and secured paying patronage that soon warranted its enlargement. The first number contained only three narrow columns to the page, and carried forty-three business advertisements. Three months after the first issue of the *Tribune*, it was enlarged to double its original size, and was no longer distributed gratuitously. The place of publication was changed to rooms in the Wilcox Block, over those occupied at that time as the Post-office, and in the following year to rooms in the adjoining block, on Broadway, between Eighth and Ninth Streets. In the early part of 1876 Mr. Dewes, who had previously purchased the interest of Mr. Staniford, disposed of one-half his interest in the paper to A. B. Gibson, of San Francisco, who retained the share but a short time, disposing of the same to A. E. Nightingill, then recently from Marysville. The present management of the *Tribune* was assumed July 24, 1876, when Wm. E. Dargie purchased the interests of Messrs. Dewes and Nightingill. From a variety of causes, the principal one being the long-continued ill-health of Mr. Dewes, the business had fallen away materially. Under the new management, however, renewed life and energy were instilled into the business, news, and editorial departments. Important changes were made, not only in systematizing the various details, but in the general features of the paper. The columns of the *Tribune*, under the old proprietors, had been confined almost exclusively to local affairs, and but very little space was devoted to general news. Believing that Oakland presented a field for the sup-

port of a first-class journal, giving full and reliable reports of all matters pertaining to Oakland, and Alameda County, choice selections of miscellany, as well as the telegraphic news of the day, Mr. Dargie resolved to bring the *Tribune* up to that standard as rapidly as possible. Within a month he succeeded in obtaining the Associated Press dispatches, being the first Alameda County journalist who had succeeded in doing so. Other new features were introduced from time to time, and special efforts were made to increase the circulation. No difficulty was experienced in effecting this object, and the circulation and general business at the close of the first year had increased so greatly that it was found necessary to purchase the press and other material of the defunct "News Publishing Company." This gratifying success of the first year proved conclusively that the people of Oakland appreciated the energy, ability, and intelligence displayed in the efforts to establish the *Tribune* as a first-class journal, and rendered its ultimate success a foregone conclusion. To accommodate the increased circulation and advertising patronage of the *Tribune*, on October 1, 1877, the business was removed to more extensive quarters, at No. 406 Twelfth Street, and a book and job department added, besides which one of R. Hoe & Co.'s patent improved double-cylinder presses was purchased on which to print the daily *Tribune*, and a new two-roller cylinder press was placed in the book and job printing department. On November 1, 1881, the *Tribune* was moved to its present commodious quarters at Nos. 413, 415, and 417 Eighth Street, where each department is under special and efficient supervision.

The *Tribune* is a well-printed publication, containing all the latest telegraphic and local news, with well-digested editorials and well-written articles on special subjects. It has a circulation of five thousand, and is to be found in every household throughout the county. The *Tribune* is Republican in politics, and is printed by the "Tribune Publishing Company," W. E. Dargie, Manager, A. K. P. Harmon, Jr., Secretary.

THE OAKLAND DAILY TIMES is to-day one of the leading journals in Alameda County, and one of the most influential Democratic papers in the State. It is an old-established paper, being formerly known as the *Transcript*, owned and controlled by Col. John Scott, and was then a leading Democratic journal. The chief work the paper did under that régime was the advocating of, and, in fact, the framing of the law known as the "Litigants' Law." The paper fought for this bill assiduously, and finally succeeded in procuring its passage through the Legislature. This law fixed the rates for the publication of legal notices and advertisements, and still continues in force. The office was located on Broadway, between Eighth and Ninth Streets, and the paper was printed on a hand-press. Gradually the paper grew, and subsequently changed hands, a Mr. Powers becoming the proprietor. Under his control the politics of the paper was changed, and from an advocate of the Democracy it became a Republican journal of the most outspoken character.

In 1878 the paper again changed proprietorship, and it was then the most important changes were made. On the 8th of January of that year Messrs. J. A. Johnson and J. B. Wyman purchased the entire plant, and extensive improvements were immediately commenced. The building, 952 Broadway, was leased, and to the new

establishment the business department was first moved, and was subsequently followed by the news and editorial departments, and, lastly, by the composition department. J. B. Wyman was business manager. Possessed of great executive ability, he kept the entire institution under his eye, and by degrees built the paper upon its present strong foundation, and was the chief factor in bringing the journal to an important and influential position. When this last change of proprietorship was made, the title of the paper was changed to the *Daily Times*, and in addition to the daily publication, a large and valuable weekly edition was published, chiefly for circulation throughout the county and State. From the date of that change prosperity has marked its course. Soon after the change was made William D. Harwood became editor-in-chief, and by his ability as a writer, his argumentative powers, and close, logical reasoning, aided greatly in establishing the paper in its successful career. Probably the most important fight ever made by a newspaper was made by the *Times*, and brought to a successful termination, in connection with the water front. The importance of the harbor of Oakland had gradually been impressed upon the minds of the people, and had reached the Government headquarters. Hon. Horace F. Page, the Congressman from the district of which Alameda County formed a large portion, became deeply interested in the matter, and by persistent efforts obtained sundry appropriations for the improvement of the harbor and the deepening of the channel leading to the land-locked basin at East Oakland. In course of time the appropriations amounted to one hundred and eighty thousand dollars, and work was about to be commenced on the harbor, when the Oakland Water Front Company appeared upon the scene, and claimed the ownership, not only of the entire water front surrounding the city of Oakland, but such a vast portion of the bed of the estuary, that their claim, if established, would have vitiated all efforts at improvement. At first, little notice was taken of the claim, the people believing that the Government would go on with the work and pay no attention to it. But it was soon learned that unless the Government could have a clear title to the land in dispute they would do no work, and the money would consequently lapse to the treasury. This knowledge startled the people to a sense of their position, and several meetings were held, at which committees were appointed to confer with the Water Front Company and endeavor to arrange matters. All their efforts failed, however, and the money was about to lapse, by reason of the time having expired in which it could be used. The *Times* had closely watched the contest, and had directed the course to be pursued, through its editorial columns. But an apathy would seem to have taken hold upon the people. They appeared indifferent to the future of their chosen home; its bright prospects seemed about to be extinguished forever, and there was every prospect that instead of becoming a city of great mercantile importance, Oakland would sink into obscurity and become nothing more than a pleasant country town. The citizens were like a flock of sheep without a shepherd, and, lacking a leader, knew not which way to turn or what to do. At this critical juncture the *Times* decided to make the fight single-handed, and win back the water front, or, at any rate, compel such a recognition of the rights of the citizens that the appropriations should be secured and the work proceeded with. Alfred J. Share, a journalist of considerable experience, was engaged, and specially detailed to work up the case, and in September, 1879, the fight was commenced. This

was done in a series of interviews with persons connected with the early interests of Oakland, and occupied nearly three months of close work. The results are familiar to every resident of this city, and, in fact, to the entire reading public in the State. From the earliest settlement of the town of Oakland, up through all the changes and vicissitudes the town had gone through, its history was published; and the methods by which the Water Front Company had sought to deprive the people of their rights were laid bare. Broadside after broadside was poured into the sides of the enemy, until, becoming thoroughly frightened at the prospects of their property slipping away, the company commenced suit against the city to quiet title, and the result of it all was that the title of the Government to the estuary and tide-lands was established, the engineers were set at work preparing plans and specifications, and the work of improvement has gone on ever since, and is still progressing.

The result of this fight made by the *Times* cannot even now be estimated, nor can the good that will result from it be even guessed at. But it is already assuming vast proportions. Factories are springing up all around the city, upon the water front for the right of possession to which the fight was made, and Oakland's success as a manufacturing center is an assured fact. Through the victory won for the city by the *Times*, the course has been opened for railroads to make their termini here, and the increased accommodation caused by the entry of the Narrow-gauge Railroad is one of the results.

It was the indomitable pluck and business tact of J. B. Wyman that planned and carried through the fight to its successful issue, and his name and that of the *Times* will always be associated as ranking foremost among the public benefactors of the city of Oakland.

By rapid strides the *Times* grew in importance, and another change was necessary in order to accommodate the largely increasing business of the office. The commodious building at the corner of Ninth Street and Broadway was secured on a lease, the facilities for publication were largely increased, a large and well-appointed job-printing-office was added to the institution, and Alfred J. Share was installed as city editor. Under his management the local news department attained an unrivaled position, and presented a faithful record of every transaction of note occurring within the limits of the city and county.

The growing importance of the *Times* as a leading journal became recognized throughout the States, and attracted the attention of John P. Irish, a stanch Democrat, and the editor and proprietor of the *Iowa City Press*, a leading journal in the State of Iowa. Recognizing the need of a Democratic Journal on the Pacific Coast in general, and in Oakland in particular, Mr. Irish made a visit here, and opened negotiations for the purchase of an interest in the *Times*, one of the chief conditions being that it should advocate the cause of the Democracy. In the course of a few months the arrangements were completed, and on October 1, 1882, Mr. Irish became the editorial pilot, in time to make the fight for the fall election of that year. With what result that fight was made, the public is perfectly familiar. Under the skillful eye of Mr. Irish the State craft was steered and by his pen the delinquencies of the Republican Party were kept before the voting public, and the need of reform in all departments urgently made. The result of the contest was the election of Democrats to

the two leading offices in the county, the Sheriff and County Clerk, the election of a Democratic Congressman, and, for the district, a Congressman at large living in Oakland. A better illustration of the influence and importance of the *Times* in the community cannot be given.

Since Mr. Irish took charge of the editorial department, the paper has increased in circulation to a remarkable degree. Soon after his advent, the *Times* was issued as a seven-day paper, the Sunday edition consisting of eight pages; the weekly edition was enlarged, and now has a circulation of immense proportions, not only in the county of Alameda and the State of California, but also through other States of the Union. Financially the establishment is in a flourishing condition, and as a proof of the popularity of the management of which J. B. Wyman is still the head and brains.

OAKLAND PRESS. —Located at Center Station, Seventh Street, West Oakland, and was started by G. W. Barter, in 1872, at that time a twenty-eight column paper. He conducted it until 1875; it was then purchased by DeWitt C. Lawrence, its present proprietor, and in 1876 was changed to its present size of forty-two columns, and Democratic in principle. It enjoys a good advertising patronage and a large circulation.

BERKELEY.—This town has very little history beyond what is given to it by the presence of the University of California. It is a suburb of Oakland, and the day is not far distant when it will be absorbed by that rapidly extending and increasing city. In the year 1868, when the University was located where it is, there then was near the bay a hamlet known as Ocean View, but which is now called West Berkeley, the cluster of houses in the neighborhood of the college receiving the name of Berkeley, which is now usually termed East Berkeley. It was some time before Berkeley took any great strides to improvement, however, but a superior class of persons took up their residences there, have purchased property, erected houses, and have done much towards the establishment of a model town with systematically laid out streets, well-kept lawns, and handsome environs. It is now in direct communication with San Francisco by half-hourly local trains.

Berkeley is blessed with water of the best quality, while its streets are lit with gas. It is well supplied with churches as with schools, and has marvelous beauty of nature on every side, and a railroad to every door.

The town was incorporated in 1878, while the following industries will show that it is a place of considerable enterprise.

Having been disappointed in receiving a promised history of the University of California, we reproduce the accompanying complete sketch, taken from a pamphlet descriptive of Berkeley and its environs published by Bacon & Co. of San Francisco.

SKETCH OF THE UNIVERSITY.—No learned institution more truly deserves the title of *Alma Mater* than the University of California. It is the consort of the State, and the foster-mother of its sons and daughters. Its blessings fall equally on high and low, rich and poor. None are excluded from its classes on account of age, sex, or condition. It resembles, in its wide scope, the German universities, to whose lect-

ure-rooms students return year after year until they are gray-haired. It is ample in scientific attainment, comprehensive in literary culture, and by its practical devices reaches every department of ordinary life. It has been remarked that California begins every scheme of civilization and improvement where others leave off. We avoid the errors, and accept the wise conclusions of all who have gone before us. In accordance with this principle, when California framed a constitution, she laid the foundation of her government so broad as to include a university, furnishing a culture complete in extent, and available for all. This was to be the crowning stone of the educational pyramid. Things were so shaped as to take advantage of extraneous aid offered by the nation, or by individuals. In 1853 Congress gave to the States seventy-two sections of land for the establishment of a fund for seminaries of learning, and ten sections of land to provide suitable buildings for such institutions as that provision might call into being. In 1862, through the Morrill Act, a special gift of land was made for the purpose of establishing schools of agriculture and the mechanic arts. This being apportioned *pro rata*, gave to California a magnificent domain of one hundred and fifty thousand acres. It was the practical period in American life, when thought, tired of pure classicism, tended toward those courses of study that would not only educate the brain, but the hand, the foot, the eye, and every physical function which would help to make the student a self-supporting man or woman. The land found a good market, bringing five dollars an acre; a result only achieved by one other State. It has all been paid for, and passed under the control of the buyers. It was then flush times in California, and the demand for money permitted the investment of all the spare funds at ten per cent. Trustees were appointed to control the inchoate College of Agriculture and Mechanic Arts, who met in Sacramento, June 10, 1867, and decided that it should be located somewhere in Alameda County. This brought the scheme within the sphere of the College of California, which had received its charter in 1855, and had, since 1860, been leading a precarious existence in Oakland. This school was not sectarian, though it was nominally under the control of the Presbyterians and Congregationalists. It admitted Unitarians to its executive board. But it occupied no special place in public appreciation. It was too denominational to please the most liberal patrons of education, and not strict enough for those who wished their children reared under church influence. It was in charge of Dr. Henry Durant, a graduate of Yale College, where he had been a classmate of Dr. Horace Bushnell, the celebrated New England divine. At one time he had been a tutor at Yale, and afterward principal of an academy at Byfield, Massachusetts. The College of California had accumulated considerable property by gift or purchase, a part of which comprised one hundred and sixty acres of land north of Oakland, in the foothills of Contra Costa County. The time seemed to Dr. Durant opportune for uniting his languishing institution with the well-endowed Agricultural and Mechanical College, and making of the two a great practical school, satisfactory to the scientist and the average citizen. Therefore, the domain in the foothills was transferred to the Agricultural College, on the sole condition that it should maintain a department of letters. Of this union of ideas came the University as it exists. The founding of a seminary of advanced learning on the western shore of the American Continent,

from whose windows could be seen the vast expanse of the Pacific Ocean, suggested to those engaged in the project the famous line of Berkeley,

"Westward the course of Empire takes its way."

Hence, the site received the name of the author of the poetic prophecy, and it will add luster to it as the years increase its fame and influence. Dr. Bushnell interested himself in the scheme, but had nothing to do with the selection of the site; for this, Dr. Durant may be considered as chiefly responsible. The beauty of the locality began to be appreciated, and many gentlemen, smitten with the prospect, and foreseeing a brilliant future for the town, bought neighboring property; and in some cases regardless of the distance of railroad communications, went daily back and forth to the city.

Preliminary Legislation.—The responsibility for the changes made, and the real paternity of the University, have been much discussed. So much of the credit as is embraced in the surrender of the College of California and the transfer of its property, is due to Doctor Durant, whose action was kind and considerate. Here his intervention in the work of organization ceases. The time found many men animated by the proper degree of public spirit, intelligent, wide of view, and fitted for so important an undertaking; among them were Gov. Henry H. Haight, Lieutenant Governor Holden, Hon. E. H. Heacock of Sacramento, Hon. John S. Hager of San Francisco, Hon. Henry Robinson of Alameda, Hon. W. L. Angney of Santa Clara, Hon. Isaac Ayer of Calaveras, Hon. W. S. Green of Colusa, and Reverend Doctor Benton of Oakland. Judge Hager is still interested in the University, as regent. The necessary legislation was framed by John W. Dwinelle, who had no model from which to deduce his scheme, and was obliged to depend on a rough draft made by four of the Trustees of the College of California. The results have been eminently satisfactory, the organic act having nobly stood the test of twelve years' work and criticism. The following may serve as a memorandum of the various proceedings, legislative and otherwise, which preceded the opening of the University.

The Act of Congress which appropriated public lands to create a Seminary and Building Fund was approved March 3, 1853.

The Act of Congress which gave one hundred and fifty thousand acres of public land for establishing a College of Agriculture and the Mechanic Arts was approved July 2, 1862.

The donation was accepted by the Legislature of California, by a concurrent resolution, March 31, 1864.

April 22, 1863, the Legislature of California appointed a Board of Commissioners to report on the feasibility of establishing a State University, which should include an Agricultural College and School of Mines.

The Board of Commissioners shortly afterward reported in favor of establishing a State Museum and School of Practical Science as a branch of the State University.

An Act to establish a School of Agriculture and the Mechanic Arts was approved March 31, 1866.

June 21, 1867, the Board met at Sacramento, and located the Agricultural College in Alameda County.

In August, 1867, the President and Board of Trustees of the College of California formally offered to the College of Agriculture one hundred and sixty acres of land at Berkeley.

The proposition was accepted, and the lands were conveyed directly to the State at a meeting held shortly afterward.

The general Act not being deemed sufficient, on March 5, 1868, the "Bill to organize the University of California" was introduced into the Assembly by its author, John W. Dwinelle.

This bill became a law by the approval of Governor Haight, March 23, 1868.

The Board of Regents of the University was organized June 9, 1868.

Organization Effected.—In accordance with the organic act, the Board of Regents was composed of twenty-two members, of whom the following were *ex officio*: The Governor and Lieutenant Governor of California, the Speaker of the Assembly, the State Superintendent of Public Instruction, the President of the State Agricultural Society, and the President of the Mechanics' Institute of San Francisco. Of the remaining sixteen, eight were to be appointed by the Governor, with the approval of the State Senate, and eight were to be honorary members, chosen from the body of the State by the official and appointed members. At a meeting of the Board, June 9, 1868, Gen. George B. McClellan was elected President of the University, but being at that time in charge of the Stevens' Battery, he declined the honor. At a meeting held the following day, Prof. John Le Conte was unanimously elected to the chairs of Physics and Industrial Mechanics. On the 1st of December other chairs were filled as follows: Ancient Languages, Martin Kellogg; Chemistry, R. A. Fisher; Geology, Botany, and Natural History, Joseph Le Conte. In January, 1869, Governor Haight, in accordance with the request of the Board, telegraphed Prof. John Le Conte that his presence was desired to confer with the Regents in respect to courses of study, the purchase of apparatus, and other important details. Professor Le Conte left South Carolina on the 24th of February, and having visited New York, arrived in San Francisco on the 3d of April. He at once proceeded, in conjunction with the Committee on Instruction, to prepare the synopsis of a course of study appropriate to the Colleges of the University, which were five in number, namely:—

1. A College of Agriculture.
2. A College of Mechanic Arts.
3. A College of Civil Engineering.
4. A College of Mining.
5. A College of Letters.

In the mean time, Professor Fisher was sent to Europe to purchase physical and chemical apparatus. In order to facilitate the labors of Professor Le Conte, he was made acting President. Being requested by the Board, he prepared a prospectus which contained a complete schedule of study for the five colleges, and an announcement of the opening of the scholastic exercises on the 23d of September. The University began its labors in accordance with this announcement in the buildings of the College of California in Oakland, taking from the classes of its predecessor about ten pupils. It remained there until it graduated its own senior class. The first graduating exercises were held in June, 1873, in a church in Oakland. The new buildings

were occupied the next September. Professor Le Conte had the active co-operation of Mr. Dwinelle during the arduous work of organization. He acted as President for more than a year, presided at the first commencement exercises, and conferred the first degrees on a graduating class of three, who had been advanced students in the College of California. During his incumbency several measures of vital importance were taken, among which were the selection of suitable building plans, making tuition free, the adoption of the Rules of Order and General Regulations of which he was the author, and the affiliation of the Medical College through the liberal gift of Doctor Toland. D. C. Gilman, a tutor in Yale College, was elected President June 21st, but declining, Doctor Durant was chosen, and assumed office in August. Doctor Durant retained the position until the re-election and acceptance of Mr. Gilman, July 20, 1872. The most important change occurring during Mr. Gilman's administration was the modification of the organic act, which made chemistry a distinct college, and the division of the College of Letters into two courses called the Classical and the Literary. When Mr. Gilman resigned the presidency in March, 1873, to take charge of the John Hopkins University in Maryland, he was succeeded by Prof. John Le Conte, who was first chosen Acting President, and at the expiration of three months elected President, which position he has since occupied.

The University Buildings.—The buildings are sufficiently spacious and convenient for the present needs of the University. The two largest stand on a terrace more than three hundred feet above tide-water, and command an unrestricted outlook over the bay and surrounding hills. They may be regarded as the historic structures, the nucleus of the group. The corner-stone of the Agricultural College, called South Hall, was laid in August, 1872, with public ceremonies. The corner-stone of the North Hall was laid in the spring of 1873. Both were so far completed as to permit the occupancy of most of the rooms when the University moved to Berkeley in the autumn of that year. Both buildings preserve the freshness of their first years. The architecture of South Hall is simple, but handsome. The material is brick trimmed with graystone. In construction it is solid and durable. It is one hundred and fifty-two feet long by fifty wide, has four stories and thirty-four rooms, six of the rooms being thirty-two by forty-eight feet, and several others twenty by twenty feet. In its basement are the chemical laboratory and the agricultural department. On the first floor are the rooms at present occupied by the library, the Secretary's office, and the instruction rooms of the college of chemistry; on the floor above are the lecture-hall of Prof. Joseph Le Conte, the museum, and other rooms needed by the scientific department. The north building is one hundred and sixty-six feet long by sixty feet wide. It has four stories divided into twenty-eight compartments, an assembly-room, forty-three by fifty-eight feet, philosophical lecture-room thirty-nine by fifty feet, the University printing-office, students' reading-rooms, and various recitation-rooms, the mathematical department of Professors Welcker, Sill, and Le Conte being among the number. These two buildings are aligned with the main terrace. Back of them, and irregularly placed on the hillside, stand two buildings of later construction—the Bacon Art and Library Building, and the College of Mining and Mechanic Arts. The first is named from Henry Douglass Bacon, of Oakland, who gave to the University his excellent collection of paintings, sculpture, and miscellaneous works of art, a library of several thousand

volumes, and \$25,000 to erect suitable buildings to contain these treasures, provided the State would add \$25,000 in furtherance of the project. The State appreciated the value and intelligence of the gift, and furnished the amount required. The building and its art contents will increase the facilities for study, and pave the way to a finer culture. Its outside is prepossessing, being of brick unobtrusively ornamented with stone. The architectural style followed within and without is the later forms of Gothic. There are, properly, two buildings in one. That fronting the west is rectangular; the rear building is semi-circular. The front portion is eighty-eight by thirty-eight feet. The center of the façade rises into a tower one hundred and two feet in height. The interior arrangements are well designed. There are broad lobbies and stairways, an elevator, reading-rooms, committee-rooms, store-rooms, and a large art gallery well lighted from the top. The rotunda of the library portion is sixty-nine feet in diameter, and fifty-seven feet in height. It will hold ninety-thousand volumes. When the collection exceeds this, the capacity of the building can be increased without altering its proportions, by rectangular additions at the north and south ends.

Library and Works of Art.—There will soon be displayed in the art gallery the Pioche collection of paintings, and the paintings and sculpture given by Mr. Bacon. The first will have great value as illustrating a period of French art; the last has many works of superior merit. The library began with one thousand volumes, transferred with the property of the College of California. It has since rapidly increased through gifts of Michael Reese, F. L. A. Pioche, Edmond L. Gould, President Gilman, Sherman Day, John W. Dwinelle, Mrs. and Miss Fourgeaud, William Ashburner, Mr. Bacon, and a host of unobtrusive friends. It can only be said to be measurably complete in the direction of scientific works, owing to the long list of periodicals which are yearly increased in number and are copiously indexed. The greatest economy of purchase has been found necessary. A fuller supply of *belles lettres* is greatly desired; also books on special subjects, such as political and social science, mining, mathematics, and zoölogy. The present yearly income of about \$4,000 is from a bequest of \$50,000, made by Michael Reese. The library must grow from similar accretions, large and small. Its future magnificence will depend, therefore, largely on the liberality of wealthy citizens and the grateful gifts of those who have experienced the benefits of the University. As the library is a department of the University, the property of the State, and to be hereafter made accessible to all citizens, it will be specially interesting and valuable to residents of Berkeley. It is in charge of Joseph C. Rowell, a graduate of the University. The building occupied by the College of Mechanics and the College of Mining is of brick, large, well built, and well lighted. The only other building of importance is a large and well-furnished gymnasium, built by A. K. P. Harmon, of Oakland, which can, if needed, be used for literary exercises. A hall for the accommodation of the athletic clubs is in contemplation.

The Grounds.—No college or university has ever before been environed by such natural beauties. Art has done more for many; as, for instance, the schools in Spain during the Arabic revival, and those of ancient Greece made memorable by the teachings of the great philosophers. But the groves of Academe sifted through with dust from the ill-kept thoroughfares of Athens, and overlooked by imposing temples

of faultless architecture, were not half so rich in beauties and endowments, or so brilliant with foliage and color, as these not very trimly-kept grounds in which nature disports herself in almost unrestrained luxuriance. The University domain includes two hundred acres of land, most of it having a soil of surpassing richness. The west line is low down upon the plateau, the east line far up in the hills. The contour of the ground is formed by Strawberry Creek and its main branch, which issue from romantic cañons behind the buildings, and run some distance in front of them. They are bordered with oaks, laurels, willows, and the coast vegetation common to such localities. Near the angle formed by their confluence is an open space—the campus proper—used by the students for their games and *alfresco* exercises. The College of California has caused the property to be carefully examined by Frederick Law Olmstead, the well-known landscape engineer, before its transfer. Mr. Olmstead wrote an elaborate treatise on the subject, copies of which are rare; and prepared a map, which has unfortunately been lost. He preferred such division and ornamentation as would preserve the natural features and flowing outlines of the place, a plan that has since been somewhat varied. The grounds were afterward laid out by William Hammond Hall, under the directions of the Regents. The design is simple, involving winding drives, with entrances on the south, north, and west, serpentine walks, and a rather sharply defined terrace for the main buildings. The grounds have also been surveyed by Professor Soulé with special reference to the water-supply. The open portions, dotted with fine specimens of live-oak, have, though untouched, a finished park-like appearance, and are gay with wild poppies, buttercups, primroses, and blue lilies through winter and spring. The improved places are filled with evergreen and deciduous trees, shrubs, plants, and flowers from every quarter of the globe. A conservatory occupies one of the warmest nooks. The fields of the agricultural department are near the western entrance, and are, with their specimens of imported fruits, grains, and trees undergoing a process of experimental culture, of the greatest interest to the farmer and botanist. No modern college has grounds like these. The German universities are usually in crowded cities, and without external attractions. The English universities have lawns that are ill-kept, and a few trees poorly cared for. The American colleges have not found it easy to cultivate handsome surroundings, on account of a severe climate and ungrateful soil. Cambridge has a lawn and trees. Yale has its elms and public green. Trinity College at Hartford has limited grounds which it is trying to improve. The New York colleges are much the same, except Cornell, which has a large domain still new. All is being done at Ann Arbor that can be done at a place so situated. The southern colleges might do more in their softer climate, but their grounds are neglected and forlorn. None are so favored in climate, universal capacity of production, and beauty of outlook as this. Art might do much to aid nature, but even without art nature was never more attractive.

The Faculty.—The University's corps of professors and instructors will compare favorably in experience, attainments, dignity of character, and intellectual force, with those of the best of the Eastern colleges. Several of them were associated with the College of California; several have had experience in Eastern institutions; while to quite a number foreign study has added depth and finish of scholarship. President John Le Conte has a national reputation as a physicist. Professor Joseph Le Conte

is accomplished in geology and its kindred branches. The works which he has published on geological science, on science in its relations to religion, his volume printed in the scientific series of the Appletons, and his numerous learned papers covering a wide variety of topics, have given him an excellent reputation among thoughtful men in this country, and have made his name known beyond the Atlantic. He was born in Georgia in 1823, and graduated in 1841 from the University of that State. After having studied at the New York College of Physicians, from which he received the degree of M. D., he practiced medicine for a short time, and then devoted himself to the study of science under Agassiz. In 1851 he became a member of the Faculty of Oglethorpe University in Georgia, first filling the chairs of Natural Science, and afterward that of Geology and Natural History. In 1856 he accepted the professorship of Chemistry and Geology in the University of South Carolina. This and other scientific occupations occupied his time until 1869, when he was called to the University of California. The Le Contes are of Huguenot parentage, their ancestors having emigrated in 1665 to South Carolina, which was the home of the family until 1810, when their father moved to Georgia. Professor Kellogg is a Connecticut man by birth and education, having studied in the schools of that State, and graduated at Yale College in 1850. He afterwards spent four years at Union Theological Seminary, and came to California in 1855 as a Home Missionary. He was connected with the College of California from 1860 to 1869, and was one of the first four elected to chairs in the University. He has been for many years Dean of the Faculty. He is considered a ripe scholar, and thorough instructor. What he has done in the way of editing Latin classics shows him capable of much more elaborate work of that character. Professor Rising was a professor in the College of California. He was educated at Hamilton College, New York. He has studied at Heidelberg and Berlin, and been twice associated with the University at Ann Arbor, first as instructor in Chemistry and Mining Engineering, the next time as instructor in Chemistry. He has his degree of Ph. D. from Heidelberg. Professor Bunnell is accredited to Harvard. He was for some time principal of the San Francisco Latin School, from which many of his pupils found their way with credit to the University, and to leading Eastern colleges. Professor Sill is a graduate from Yale College, and for many years principal of the Oakland High School, whence he was transferred to the chair which he at present occupies. He is an able instructor, and an enthusiast in his calling. West Point has furnished two members of the Faculty—Professors Welcker and Soulé. The first was for many years a professor in that institution. To sufficient scholarship he adds those qualities of culture and breeding which are deemed essential to fine military character, and which invariably win the respect of students. Professor Soulé is younger, but has had ample experience. He graduated from West Point in 1866, in the ordnance corps of the army, served a while in Alleghany City, and was afterward assistant instructor in mathematics at his *Alma Mater*, until he was offered, in 1869, the position of assistant to Professor Welcker, in the Department of Military Science and Tactics. Professor Moses is one of the youngest members of the Faculty. He graduated at the University of Michigan in 1870, and finished his studies at the universities of Leipzig, Berlin, and Heidelberg, taking his degree from the last. His special studies while abroad were political economy, and history as incidental

thereto. For the purpose of prosecuting a very interesting branch of historical research, he made two summer visits, of several months' duration, to Norway and Sweden. He is a thoughtful student, and earnestly devoted to his vocation. Professor Hesse was trained in a German polytechnic school, and was early engaged as a teacher in Brown University. Subsequently he held a scientific appointment under the United States Government, and was devoting himself privately to mechanical pursuits, when he was offered a chair at the University. He is said to be a mathematician of rare skill, and to unite scientific attainment with great practical ability, a union of qualities very desirable in his present position. Professor Hilgard was born in Germany, and came to America when fifteen years of age. He has resided here since, except when completing his education at a German university. After his return to the United States he was made State Geologist of Mississippi and Louisiana, and held that place till elected to the chair of geology in the University of Michigan. The College of Agriculture needing a man at once practical and scientific, the position was tendered to Professor Hilgard, in 1874. He found the college under a cloud, which his careful administration has completely dispelled.

The Work of the Colleges.—It would require a large volume to analyze the scheme of the colleges, and to fully explain their work. They will here be briefly outlined. From a practical point of view they leave very little to be desired. A university cannot make a scholar. If he is malleable it can hammer him into form; if he is ductile it can draw him out; if he is pliable it can bend him into graceful outline; but it can give him no quality of which he has not already the germ. It can teach his brain to theorize if he has a brain; it can train his eye and educate his hand; it can furnish him models to imitate; it can point out errors to be avoided; it can give him material, and instruct him in its intelligent use; it can indicate the devious ways of knowledge, and show him how to walk in them without going astray; it can ground him in branches of science, and leave him to perfect himself in them as he matures. This is what the University of California is doing. Most students come too young to be made perfect in any specialty, for perfect scholarship implies the devotion of a lifetime. The department of civil engineering cannot graduate a pupil competent to build a railroad across the Andes, but it may send from its lecture-rooms a young man, who, if he has talent and is true to it, may acquire the experience that will enable him to perform even greater feats. The College of Chemistry cannot make a Faraday, but it can give a young man the means of becoming even greater than Faraday. It is well for every one to understand that college education is the beginning of life, and not the consummation of it. The College of Chemistry is in charge of a scholar thoroughly taught, who has able assistants. It has laboratories modeled on those considered most complete in foreign universities, furnished with all necessary appliances for complete chemical manipulation; there are few better in the country. The scholar is taught the principles of chemistry, and made to illustrate them by his own experiments. The only expense is the trivial charge for the chemicals consumed.

College of Agriculture.—The College of Agriculture is more nearly related to the masses. Professor Hilgard is a botanist, and familiar with the growth and diseases of plants. This has enabled him to do great service to the viticulturists of the State. He is expert in the analysis of soils, and has done a great deal to enlighten farmers

in regard to reclamation of alkaline lands, and the adaptability of certain localities to special productions. He keeps himself *en rapport* with the cultivators of the soil by frequent lectures in the country, the distribution of reports, and by the exhibition of specimen cereals in cases at the State and district fairs. He thinks the time is not far distant when agricultural experts will be in as great demand as mining experts. The experiments made in this department have resulted in the cordial co-operation of intelligent and progressive farmers, who are beginning to understand in what manner science may become the handmaid of agriculture. The idea of a model farm has been abandoned as impracticable. Herein the college follows the example of Cornell and other Eastern institutions which include agriculture in their curriculum. Perfect cultivation of the soil, safety of crops, and thoroughness of study are impossible where student labor is exclusively relied on; therefore most of the work is done by outside labor, the student looking on, and sometimes co-operating. For work out of hours he is compensated, and, if needy, to that extent aided in the completion of his college course. The department has ample facilities for illustrating its theories and turning its work to practical account. Its plan contemplates finding out and explaining the best modes of propagating grains and economic plants. As soon as possible it will establish a botanical garden, which will not only illustrate plants of economic value, but those which are interesting to the chemist. Twelve thousand botanical specimens have been collected. Seven hundred specimens of soil have been gathered and analyzed. The texture of grain, dried plants, and fronds of flowers are shown to pupils in the lecture-room by means of a camera obscura. New varieties of wheat are constantly imported from abroad and distributed throughout the State. There is no department that has about it more life and activity than that of agriculture. Professor Hilgard is efficiently assisted in the branches of practical farming and experimental culture on the University grounds by Charles H. Dwinelle. Mr. Wickson lectures at intervals on dairying.

The Colleges of Mining and Mechanics.—The building occupied by the College of Mechanics and the College of Mining and Metallurgy was completed two years ago. The first is under the charge of Professor Hesse, the other under the superintendence of E. P. Christy. With the College of Agriculture, they stand very near to the heart of the people of the State, who are prone to look at the practical side of things. The tendency of modern instruction is in the same direction, as shown by the recent rapid increase of polytechnic schools. The course of study pursued under Professor Hesse involves a period of theoretic study, supplemented by experiments of the most practical character, which will enable the student to become a superior mechanic. Problems relating to mechanical engineering are illustrated by practical application. There is a machine shop with power, and all necessary tools, which will soon be placed in charge of a first-class mechanic, where students can be made thoroughly acquainted with the various forms and facilities of machinery. The course includes instruction in the laws of solids, fluids, and the making of machinery of all kinds and for all purposes. The mining department teaches assaying and the methods of practical mining, by lectures, text-books, practical illustration, and visits to industrial works in San Francisco, and mining and metallurgical works elsewhere. It contains four crucible furnaces, four furnaces for cupellation, and all necessary apparatus

for pulverizing, sampling, and reducing ores. Its students have already given good accounts of themselves in the mining districts of Arizona and Colorado. The doors of both these colleges are open to special scholars, who may wish a year's instruction without having had other academic training.

Other Departments.—The College of Letters, with its admirable culture, offers less opportunity for description. There is a military department organized by Professor Welcker, who has endeavored not to confine the course of study merely to tactics, but to impart information that would be valuable to the volunteer soldier and the officer when called into service. A nation of fifty million people which maintains no standing army should, he argues, receive what compensation is possible in the general diffusion of military knowledge. Professor Welcker had, for some time, the valuable assistance of Mr. Soulé, who is now Professor of civil engineering and astronomy. The military department is at present ably instructed by George C. Edwards, Professor Welcker devoting himself strictly to the department of mathematics. The classical course includes instruction in Latin, Greek, and the modern languages, with elective studies. The literary course omits Greek, and gives prominence to the modern languages and English literature. By this means the preferences and prejudices of all are regarded. No one is compelled to a course of mere scholasticism, who prefers the kind of learning which he thinks will prove more available in after life; while those who desire the mere accomplishments of scholarship can be fully gratified. The departments of mathematics and civil engineering are spoken of as parts of the College of Letters because they treat of science in reference to theory, and are considered essential to the curricula of all higher institutions of learning. They offer their advantages to all students of the University. Military study and drill are required of all. The study of English literature is made more attractive by frequent allusion to the best current publications. Several of the affiliated colleges of the University are for convenience located in San Francisco. These are the Hastings Law College, whose fees are merely nominal, the Toland Medical School, the College of Pharmacy, the College of Dentistry. Their existence is an additional proof of the adaptability of the University to all the wants of common life.

In Conclusion.—Even this brief outline of the history and work of California's great institution of learning shows the admirable range and completeness of its plan. It needs time to consolidate its labors and to perfect its generous scheme. An existence of twelve years does not permit perfect results. Cambridge has been two hundred and fifty years in growing to its present stature from a "Freshman class of one." A working faculty of thirty, no matter how ripe in scholarship, can hardly accomplish as much as a well-equipped corps of one hundred teachers. Yet several of the University's Eastern rivals exceed that number. The institution has wrought out several problems since its organization. It has proved the co-education of the sexes possible. Young ladies have been admitted to all its classes on equal terms with young men, and have been remarkable for exceptional deportment and high class-standing. All its practical departments have been eminently successful. The school teacher, the mining expert, the druggist, the chemist, the mechanic, the farmer, can gain access to them at any time, and bring his imperfect knowledge up to any desired standard. A post-graduate course affords the earnest student an oppor-



W. Hayward Mack

tunity to emulate the example of the great scholars of the world. The library is rapidly being perfected in all lines of science and literature. Museums illustrating every branch of study are large, and constantly increasing. Hard times have impaired the University's influence by diminishing the number of students from the middle classes of society, who have been its best supporters. There is every reason to believe, however, that the tide of fortune is now where it can be taken at the flood. The present members of the Board of Regents are active and sympathetic. The affairs of the institution have never been complicated by political chicanery. In accordance with this principle, recent appointments have been thoughtfully and intelligently made by Governor Perkins. The Faculty who have hitherto been new to one another, will gradually become more homogeneous. Systematic social intercourse, firm executive control, and the natural solidification of time, will, year by year, give greater unity and an increased momentum. The State is liberal in its annual provisions, and nothing seems wanting to make this great school, with its noble foundation, a power on the Pacific Coast, and a potent influence in the world.

THE CALIFORNIA INSTITUTION FOR THE DEAF, AND DUMB, AND THE BLIND.—Was founded in 1860. It was then under the auspices of a Board of Lady Managers, presided over by Mrs. P. B. Clark. By subscription they effected the purchase of a lot on Spark Street, between Mission and Howard Streets, San Francisco. A timely appropriation from the convening Legislature enabled them to complete two brick buildings on the site, and to remove there some ten pupils from Tehama Street, where a school had been carried on for some months previously in a rented house. At that time the purpose of the school was not as well understood as it is to-day, and it verged upon the condition of a poor-house, with faint attempts at the education of the deaf thrown in. Besides, the public credit, consequent upon the war, was at a low ebb. Donations had to be depended upon, but the energy of the originators was equal to the need. The school grew in strength and numbers. From a single pupil at the Tehama Street House, in 1860, the school increased to fifty in 1866, and the question of its accommodations became a serious one, as it could be seen that the buildings were outgrown, and their living and school facilities were taxed to the utmost. Just at this time there arrived from New York a new Principal, Prof. Warring Wilkinson. Two Principals—Mrs. Clark and a Mr. Francis—had preceded him, but this time the selection by the Board was a most fortunate one, for Mr. Wilkinson brought rare qualifications from ten years' preparation at the New York Institution. In the Legislature, convened the following winter, Mr. Wilkinson had a bill introduced asking for an appropriation for a new building, to be erected on a new site. It was passed, and a commission was appointed to find the desired location. The Kearney farm—the present site, and situated in Berkeley, four miles north of Oakland—was chosen, and wisely so, as time proved. The tract consists of one hundred and thirty acres, eighty of which are hill land, used as a pasture. The rest is devoted to sites and tillage. Clear and pure water can be tapped anywhere under the foothills. A good soil, healthful climate, and fine outlook approve the wisdom of the commission. The specifications of the new building called for an edifice of blue-stone masonry, and three stories, with a frontage of one hundred and ninety-two feet and a depth of

one hundred and forty-eight feet. The style was Gothic. The plans were such as would overcome the difficulty of housing the different sexes and classes. The four corners of the edifice answered the purpose of four institutions. The dining-room was in the center and the chapel above it. Beyond a court on each side of the dining-room were school-rooms. The ground was broken July 29, 1867. The foundation-stone was laid on the 26th of September, with appropriate ceremony, a feature of which was an ode by Bret Harte. Except with a hitch, occasioned by the great earthquake of 1868, which battered down some parts of the walls, and entailed an additional expense of \$9,000, the work so progressed that the building was ready for occupation in the fall of 1869. The cost of the structure was \$149,000, including the incidental expenses. The land, \$12,100. The San Francisco property put in the market realized \$34,000. The school then opened with ninety-six pupils, and under most favorable auspices. But it had hardly begun with the sixth year of its new existence when a great misfortune befell it. That was the destruction by fire of the beautiful building, on the evening of the 17th of January, 1875. The cause of the calamity could never be ascertained. The fire began in the roof above the kitchen chimney, and, as a strong east wind was prevailing, made such rapid headway that the children were in danger. But no lives were lost, and prompt assistance from the neighbors saved the children from the exposure of a drizzling night. A blow so sudden and overwhelming almost paralyzed the friends of the institution. But the Board of Directors was on the ground before the light of the fire had died away. At the meeting called the next day arrangements were at once made to open the school again as soon as possible. Extensions were made to an outlying building at an expense of \$27,000, for which twenty-seven gentlemen loaned \$1,000 each. On the 27th of April the school again opened. A period followed of personal discomfort and danger to health consequent on crowding one hundred and twenty-five persons—pupils and *employés*—in straightened quarters, which, however, was borne with commendable patience. Meantime the mind of the Principal was busy with the question of the plans for new buildings. With experience of the past and emulation for the success of the future, Mr. Wilkinson spent the two years prior to the meeting of the next Legislature in studying plans and systems, and consulting authorities. A journey through the country, in the vacation, was undertaken for these purposes. The outcome was an elaborate report in favor of the segregate system, in which the following reasons were set forth: 1. Comparative safety from fire. One house may burn up without endangering the whole block. 2. The isolation of the sexes, and also of the classes. 3. A check to epidemics. The abetting tendency of the wicked pupils may also be checked. 4. It affords opportunity for grading the pupils and regulating their association. 5. It is one step nearer to the family. 6. It affords facilities for indefinite enlargement. 7. It is cheaper. The report received the Board's ratification, and the plans were forthwith ready on paper against the meeting of the Legislature. There \$110,000 were voted for two "Homes." The following spring foundations were laid. In the fall of 1878 the buildings were occupied. They were designed for the housing of the pupils only. In them are alcoves for the large pupils and dormitories for the small ones, besides sitting-room, reception-room, apartments for the teachers and the matrons, basement for playing, and bathing, and all

necessary home accessories. In 1879 a central refectory was erected as part of the plan that looked to devoting separate buildings to separate purposes; cost, \$35,000. A boiler-house and a residence for the Principal were also erected; costs, \$4,000 and \$5,000 respectively. In 1881 another "Home" was built; cost, \$51,500. Lastly, an educational building was ready for occupation in the fall of 1882. The appropriation asked for was \$73,000, and the plans were for a proportionally extensive building. But it was cut down to \$40,000, and the building was reduced to its present dimensions. It is one-storied and contains ten class-rooms, library, office, chapel, hat-rooms, and all modern improvements. The building material is brick, upon granite foundations, with slate for the roof, and artificial stone flooring for the basement. The outward architectural aspect is very plain, though not harassing to the eye, when it collects in a single view the whole group, and recognizes a degree of harmony existing between the design and appearance of the buildings and the brown hills against which the houses rest as against a background. Ground improvements are late in coming, as no money is at hand. The interior of the houses make up for the sacrifice of the outward appearance, as large airy rooms and bright, white cedar wood-work, contribute to a home-like cheerfulness, a feature that has been secured as one of the many parts of the segregate system, namely: the idealization of home-life as against the rigid discipline of barrack-life in the congregate institution. All that was expected of the system has been realized. Morals are improved many per cent., and sickness is so reduced to a minimum that the salary of a doctor is beginning to be a burden. The yearly expenses of the institution are \$40,000, of which \$17,500 go to salaries and wages. The total cost of the buildings thus far has been about \$260,000. The property, with the land at market rates, and all its improvements these many years, represents, along with the buildings valued as above, about \$350,000 to the State's credit. At the time of the present writing one hundred and fifty pupils are being educated. Ten teachers are employed, namely: George B. Goodall, who, in addition to being the head teacher of the deaf-mute department, has charge of the blind's musical training; Charles Wilkinson; Henry Frank (a pioneer teacher and deaf mute, having been connected with the institution seventeen years); Douglas Tilden; Mrs. George B. Goodall; Miss Annie Carter; Miss M. A. Dutch; Miss Anna B. Garrett; Miss Annie Warren, and Miss Kate Crandall. Articulation has been lately introduced as a part of the deaf mutes' education. The institution is, as it has been for eighteen years past, under the management of Warring Wilkinson, of whose zeal enough cannot be said by way of praise. His perfect familiarity with the mysteries of deaf-mute education has produced extraordinary results in the intellectual department of the school, and his enthusiasm has brought the institution out of a small beginning to be one of the best equipped schools throughout the country devoted to like purpose. The institution is fortunate in belonging to this county. Alameda County is the intellectual center of the State. It has also been enabled, by her geographical situation, to give to the institution a home which can ask for nothing better in the way of healthfulness of climate and fineness of site. The school is directly in front of the Golden Gate. A telescope in a front window levels across Alcatraz Island and notes the mast or chimney of an incoming vessel, and far beyond, on a fine day, may be seen the Farallone Islands, forty miles distant

The view sweeps uninterrupted around the whole basin of the bay, from the Santa Cruz mountains to the Sonoma hills. The city of San Francisco is in full view, and the lights of the streets at night look like stars strung for the play of mortals, and the fires of Mount Tamalpais, seen from here, make strange colors with the sunset clouds, which veil the top. At our feet lies Berkeley, sloping gently down to the bay. Oakland is four miles to the southward—a great park of oak-trees. The institution has always been most fortunate in its management. Its Directors have been men of acknowledged integrity and administrative ability. Among them may be mentioned Ira P. Rankin, Dr. J. P. Whitney, Wm. Sherman, B. H. Randolph, Rev. J. A. Benton, J. Mora Moss, Col. J. C. Hays, Capt. Chas. J. Brenham, Dr. J. E. Nicholson, J. L. Barker, E. J. Crane, D. D. Shattuck, Dr. L. Hamilton, Gov. H. H. Haight, Thomas Yolland, John Garber, and Gen. J. F. Houghton. The present Board consists of Hon. John A. Stanly, President; A. K. P. Harmon, Vice-President; Isaac Wormser, Auditor; George D. Dornin, and Dr E. H. Woolsey. The Secretary and Treasurer is H. A. Palmer. The Directors serve without pay, and the prosperity and good name of the institution is largely due to the unselfish zeal which has characterized their administration. While the institution has been called upon to mourn the loss of several Directors, it particularly laments the death of J. Mora Moss, a well-known citizen of this county, who filled the Presidency of the Board for ten years, and departing this life in November, 1880, is still remembered for his gentleness and his integrity in the discharge of his trust.

THE BERKELEY GYMNASIUM.—Next to the University in the educational scheme of the town, and preparatory thereto, is the Berkeley Gymnasium. It is related to the higher institution as the German gymnasia are related to the German universities. It is in full accord with the Faculty, one of whom makes the annual address to the graduating class, and most of whom deliver occasional lectures in a course that forms part of the stated curriculum of study. Its patronage is drawn from the best social element of the Pacific Coast. Its teachers are selected not only with reference to their scholarly ability, but their fitness by temperament for their arduous and important profession. The course of study includes the ordinary English branches, the higher mathematics as far as geometry, Latin, Greek, and the modern languages. The school buildings are near to the University grounds, are spacious, conveniently arranged, and surrounded by evergreens. They include everything necessary to the comfort and culture of the pupil—large study-rooms, necessary scientific apparatus, airy dormitories, and a generous *cuisine*, the last feature being considered absolutely essential to the well-being of studious and growing youth. Observance of the fundamental principles of the Christian religion is insisted on, but denominational interference is not tolerated. Students can attend, with a monitor, any particular church in Berkeley or Oakland designated by parental authority. The scope of religious instruction contemplates inculcation of the idea of a Supreme Being, Creator of the Universe, the First Cause and Ultimate of things. That which relates to special dogma is left to the church, the theological school, and to domestic training. If by this means the student becomes inspired with reverence for God, respect for religious observances, consideration for well-established human institutions, and a zeal for

critical investigation, work in this direction is considered finished. The use of tobacco is considered, as are all forms of intemperance, destructive to both brain and body, and pupils are so instructed. Students found guilty of bringing intoxicating liquors upon the school grounds, or of visiting drinking-saloons, are expelled. As in the University, discipline is based on manly qualities. When a boy forgets that he is a gentleman, and fails utterly in his duties to his parents, his teachers, and himself, his connection with the institution is severed. The corps of teachers may be considered as permanently connected with the school, their work having been so harmonious that no changes have occurred in four years. The theory of instruction is embodied in the word "self-help." Here, also, the guiding principle of the University is followed. Knowledge is not only imparted to the pupil, but every effort is made to enable him to assimilate it as part of his mental constitution, that it may be of practical benefit to him afterward. This analysis of the Berkeley Gymnasium shows how it fits into the system of complete instruction which the town affords. The benefit of such an institution so closely related to the University is apparent. Its teachers know the exact standard required for admission to the Freshman Class; hence no pupil is submitted for examination until he is thoroughly prepared. If students come from a distance, having made imperfect preparation, they can be received here until they have supplied every deficiency, and are ready for the higher education which the University so generously furnishes. The advantages of such a school to citizens of Berkeley, who desire to have their children with them through all the period of study, are great. The Berkeley Gymnasium has already the largest and best patronage of all the private schools on the coast. It is now extending its name to Mexico, Central America, the Sandwich Islands, Oregon, Nevada, and the East. Its management expect to make it in the near future one of the leading preparatory schools of America. The Principal is George Bates, M. A., Cambridge University, England, with a highly accomplished corps of instructors in every branch of literature.

THE HARMON SEMINARY.—This institution for the education of young ladies was opened August 3, 1882, under the charge of Rev. S. S. Harmon and Mrs. F. W. Harmon, as associate principals, with a corps of seven competent instructors, instruction being imparted in every useful information and mental culture. Here ladies are given a special course of instruction arranged with a view to a thorough preparation for the entrance examinations of the State University.

ST. JOSEPH'S PRESENTATION CONVENT.—This institution is located in the heart of the beautiful suburb of Oakland, Berkeley, and was founded by Reverend Mother Mary Teresa Comerford, of the Order of Presentation, in 1878. The foundress of this Convent was a remarkable and noble woman, and a few of the salient points of her life's work will be perused with interest by all the readers of this volume. The Order of Presentation Nuns was established by Miss Nano Nagle, who was born in Ireland, in 1728. The order flourishes in that country to this day, the chief characteristic of it being that its members observe cloister, and devote their lives to the education of children "without money and without price," trusting in God for all their temporal

needs; and certainly if we are to judge from the great amount of work accomplished by Sister Mary Teresa, that source of help can be relied upon in time of need. She came of a highly respectable family, and was born February 19, 1821, and was given the name of Bridget at her christening. Early in life she was admitted to the Presentation Convent at Kilkenny, as a postulant, and on the 18th of January, 1842, she received the holy habit of a Presentation Nun, as a novitiate. The final vows were taken January 17, 1844. Ten years later, in 1854, she determined to come to San Francisco, and assist in the establishment of a convent of her order, and on the first of December of that year a school was opened temporarily in a small building on Green Street, with an attendance of two hundred. August 10th of the following year the foundation of a convent was laid, the first of the order in the United States, as well as on the Pacific Coast. While this was building the Sisters who had come to California with Sister Mary Teresa, with one exception—Sister Mary Xavier Daley, determined to return to Ireland; and upon their departure Sister Mary Teresa was duly installed Superioress. The appointment was made November 8, 1855. The new building was taken possession of December 3, 1855, and the schools were opened in January, 1856. The attendance was very large, and the Mother Superior was urged to accept pay for the tuition of the pupils; but, keeping the principles of her order fixedly in view, she refused to do so. This institution is well known as the Powell-street Convent. On the 26th of September, 1868, the corner-stone of a new convent was laid, on Taylor Street, San Francisco, which was built from plans designed by Mother Mary Teresa, and under her personal direction; and in May, 1869, eight Sisters, chosen from the Powell-street Convent, together with Mother Mary Teresa, took possession of the new building. The popularity of these schools is attested in the fact that by the 2d of June following the pupils had become so numerous that it was found necessary to convert the chapel into a school-room, and the refectory was used as an infant school, and each teacher was obliged to take charge of nearly one hundred scholars. We now come to the last work of her life in California—the establishment of the Convent of St. Joseph, at Berkeley. From a small volume entitled, "Memoir of Reverend Mother Mary Teresa Comerford," we make the following extract: "Being as desirous as ever to extend her Institute, she was eager to found a convent in the suburbs. Various locations were proposed. She decided, however, on Berkeley; Mr. Curtis and Mr. James Magee immediately offered lots for the building. As the property of the latter gentleman was larger, and in a good locality, his ground was accepted. In the beginning of the year 1877, Mother Mary Teresa visited Berkeley, and made preliminary arrangements for the erection of the convent. On the 27th of May his Grace, Archbishop Alemany, accompanied by many clergymen, proceeded to Berkeley to lay the corner-stone. The people's appreciation of the advantages to be derived from the gratuitous education of girls by the Presentation Nuns, was fully testified on the occasion. Hundreds crossed the bay to witness the ceremony. At fifty minutes past four o'clock on this beautiful May evening the congregation assembled on the open plain in center Berkeley. Beside the venerable Archbishop might be seen a youth who had scarcely reached his teens. He wore a mason's apron of no coarser texture than white satin, beautifully ornamented with the aquerelle painting of the nuns. In his hand he held a silver trowel, with which he

aided the Archbishop in the laying of the corner-stone. This young gentleman was Joseph Donohoe. The ceremony having terminated, Rev. Brother Justin, President of St. Mary's College, San Francisco, delivered an eloquent address. The crowd dispersed as the orb of day was gathering his crimson rays into the placid waters of the Golden Gate." The 27th of May, 1878, was chosen as the time for taking possession of the new building, and six Sisters were selected to accompany Mother Mary Teresa to her new home. On the 30th of May the dedication services were held, which were largely attended, and were conducted by Rev. Father King, of Oakland, assisted by Rev. Fathers Prendergast, V. G.; Gualco, McNally, and Serda. Father Prendergast preached the dedicatory sermon. After the sermon and vespers, the priestly procession was formed, and the building apartments, site, and grounds were blessed. The beginning of the school was small, owing to the residents of Berkeley being so scattered, the number of pupils being only about sixty the first day, but the school has gradually increased in size, the present attendance being ninety. The size of the building is sixty by seventy feet, and two stories high. The cost of erection was thirteen thousand dollars. There is one school-room which is divided by rolling-doors. There are also four music-rooms, refectory, chapel, spacious corridors and bath-floors, and dormitories. In 1880 there was erected a building on the grounds, twenty-eight by thirty feet in size, which is used for small boys' school. All pupils are day scholars. The convent is at present under the charge of Mother Mary Josephine Hagarty, who succeeded Mother Mary Teresa in 1879. There are eight sisters engaged in teaching. A church will be erected on the convent grounds during the present year. There are now four novices and one postulant in the convent. From the fact that the Sisters of the Presentation Order do not accept tuition for the pupils attending their convents, it will doubtless be a question in many minds as to where the funds come from with which Mother Mary Teresa accomplished her wonderful work. The only answer to the question is that—

"God moves in a mysterious way
His wonders to perform;"

And that as a true child of the Supreme Father, going, like the Apostles of old, without money and without scrip, she put her trust in God, and he failed her not, and friends were always raised up at the right time to meet her requirements, and an abundance of money was always forthcoming. This sketch would be incomplete without a mention of the closing of the beautiful life of the foundress. After getting the convent at Berkeley thoroughly established she paid her second visit to her native land in 1879, for the purpose of founding a general novitiate where young sisters might be trained to meet all the requirements of the United States Missions. After having accomplished her mission to Ireland she returned to California in May, 1881, and shortly after became seriously ill, and on the 2d of August she breathed her last without an effort, as the evening "Angelus" pealed from the convent belfry, and her bright, pure spirit sped away to its reward, so nobly and faithfully earned during her long novitiate of more than sixty years, and the sable garbs of a nun were changed for the immaculate marriage robes of God's saints.

WEST BERKELEY PRESBYTERIAN CHURCH.—The First Presbyterian Church of

West Berkeley was organized March 18, 1877, by Rev. James Currie. He began operations in this field in 1875, preaching his first sermon January 3d of that year. He organized a Sunday-school, and preached occasionally till July 23, 1876, he being a student during that time. At the last-named date he began preaching regularly in the school-house. The following-named persons united in the organization of the church: Capt. James S. Higgins, Mrs. A. E. Bunce, Mrs. Ann Bowen, Mrs. John Boyd, Miss Josephine Snow, Miss Alice M. Bunce. Rev. David McClure assisted in effecting the organization of the church. Rev. Mr. Currie has remained in charge as pastor from the organization of the church to the present time. Capt. J. S. Higgins has been elder since its organization. The church building was erected in 1879, and was dedicated October 26th of that year. It is thirty-two by fifty-seven feet in size, with a spire seventy feet high. The seating capacity of the church is about two hundred. The building cost \$2,800, and the lot is valued at \$1,000. The present membership is fifteen, and the field is being worked industriously by the pastor. The Sunday-school is in a flourishing condition, and numbers about sixty at the present time.

WEST BERKELEY METHODIST EPISCOPAL CHURCH.—From the earliest settlement of this part of the State Methodist ministers have pushed out into the sparsely settled sections and conducted divine service in school houses, halls, or wherever else they could find room. It is not known just when they began preaching in the vicinity of Berkeley, but certainly at a very early date. There were, however, no steps taken towards effecting a church organization by this denomination till 1878, when Rev. George Newton was appointed by the California Conference to occupy the field and organize a church. The first step taken in the matter was the forming of a class at West Berkeley, with C. H. Mason, Leader. During the pastorate of Rev. Mr. Newton, services were held in a hall. In September, 1879, Rev. William Herbert succeeded Rev. Mr. Newton, and remained in charge till September, 1880, when the present pastor, Rev. G. D. Pinneo, entered the field. Shortly after Rev. Mr. Pinneo became pastor arrangements were effected by which the Methodist services were held in the Presbyterian church during the morning hour, all other services being Union. In July, 1881, a building was purchased and moved upon a lot belonging to the church. It was used for school purposes until February, 1883, services being held, as noted above, in the Presbyterian church up to that time. On the first Sunday in February, 1883, they occupied the building for church purposes, and also organized a Sunday-school. The church organization was effected September 14, 1882, by Rev. T. H. Sinex, Presiding Elder, and Rev. G. D. Pinneo, Pastor in charge; with C. H. Mason, Class Leader; and J. O. Byxbee, John Squires, C. H. Mason, J. Underwood, F. Wilkes, and William Boddy, Stewards. The present membership is nineteen, and the work is in a good condition. The Sunday-school is flourishing also.

BERKELEY LODGE, No. 270, I. O. O. F.—Was organized February 20, 1878, with the following charter members: T. B. Tarbett, J. Woolley, S. H. Anthony, Wm. Ellis, George S. Tallman, S. C. Clark, F. H. Payne, F. J. Ryus, I. A. Boynton, J. Funnell, G. D. Metcalf, J. Chappie, and T. M. Antisel. The first officers were: F. H. Payne, N. G.; S. C. Clark, V. G.; I. A. Boynton, Secretary; F. J. Ryus, Financial Sec-

retary; J. Chappie, Treasurer. The Past Grands have been: F. H. Payne, S. C. Clark, I. A. Boynton, J. Ryus, J. Funnell, Thomas Hann, J. McClain, W. H. Chapman, A. H. Broad. The present officers are: A. H. Broad, N. G.; W. E. Zander, V. G.; H. M. Barry, Secretary; Thomas Hann, Financial Secretary; J. Chappie, Treasurer. The present membership is eighty-six, and the lodge is in a prosperous condition. It meets on Thursday evenings.

HEARTS OF OAK LODGE, NO. 61, A. O. U. W., WEST BERKELEY.—Was organized October 25, 1878, with the following charter members: F. E. Berge, G. A. Schuster, G. F. G. Larson, R. S. Nixon, J. C. Burghardt, E. F. Niehaus, C. Johnson, George Embury, P. R. Sisterna, A. Park, J. Chappie, T. Hann, R. Lloyd, C. Maloney, E. S. Tallman, C. F. Burns, W. H. Johnson, S. Austerhaut, A. Steinmetz, P. Sheridan, J. H. Ruarke, G. M. Eames, J. Copp, J. Ehrman, O. P. Oliver, S. A. Penwell, William Storm, T. J. Reilley, J. E. Wright, A. Arnold, Charles W. Tobey, M. Hendershot, D. W. Hewitt, E. M. Lawrence, G. Weidinger, A. Lucas, William J. Greer, C. Luth, L. Marks, E. Reagh, R. G. Houston, F. E. Corder, J. J. Bluett, B. E. Olsen, and M. M. Gilman. The first officers were: F. E. Berge, P. M. W.; G. A. Schuster, M. W.; G. F. G. Larson, O.; R. S. Nixon, Recorder; J. C. Burghardt, F.; E. F. Niehaus, Receiver; C. Johnson, Guide; G. Embury, I. W.; and P. R. Sisterna, O. W. The P. M. W. are F. E. Berge, G. A. Schuster, C. F. Burns, G. Larson, S. Austerhaut, and C. Hadlen. The present officers are: L. Shafer, M. W.; G. Larson, Foreman; H. Mitchell, O.; S. A. Penwell, Financier; S. Austerhaut, Recorder; and E. F. Niehaus, Receiver. The present membership is forty-six. The lodge is in a very prosperous and growing condition. Three of its members have died since its organization, viz., A. Park, J. C. Burghardt, and W. H. Johnson.

BERKELEY LODGE, NO. 10, A. O. U. W.—Was organized October 23, 1877, with the following charter members: C. F. Gompertz, J. F. Burdick, F. H. Payne, Thomas F. Graber, W. P. Durfee, P. R. Boone, Allen Shorkley, Lorenzo Davis, Jr., J. F. Burris, and these officers: C. F. Gompertz, P. M. W.; J. F. Burris, M. W.; L. Davis, Jr., F.; W. P. Durfee, O.; F. H. Payne, Recorder; P. R. Boone, Financier; A. N. Buchanan, G.; J. F. Burdick, I. W.; A. Shorkley, O. W. The Past Masters serving this lodge have been, John F. Burdick, Thomas F. Graber, W. P. Durfee, Philip R. Boone, C. F. Gompertz, Allen Shorkley, Frank H. Payne, John W. Bice, C. H. Siliman, R. G. Houston. The present officers are: Fred. E. Berge, P. M. W.; Samuel C. Clark, M. W.; Nathan C. Carnall, F.; Welles Whitmore, O.; T. F. Graber, Recorder; F. H. Payne, Receiver; W. H. Chapman, Financier; James Graham, G.; J. D. Stewart, O. W.; J. E. Masson, I. W.

UNIVERSITY LODGE, NO. 88, A. O. U. W., BERKELEY.—Was organized March 20, 1879, with the following charter members: Thomas Hann, P. Sheridan, W. P. Oliver, B. T. Conger, G. A. Embury, H. L. Whitney, H. A. Palmer, I. A. Boynton, George Tallman, J. Chappie, Clinton Day, S. Wilson. The first officers were: Thomas Hann, M. W.; C. Usinger, Secretary; C. O. Lord, Treasurer. The Past Master Workmen of this lodge have been H. A. Palmer, Thomas Hann, P. Sheridan, H. Ayers, B. T. Conger, H. L. Whitney, G. A. Embury, J. Squires. The present officers are J. Squires, P. M. W.; S. V. Nichols, M. W.; A. L. W. Kschieschang, Foreman; F. W.

Styles, Overseer; J. G. Wright, Receiver; P. Sheridan, Financier; H. Ayer, Recorder; E. Horst, Guide. The present membership is forty, and the lodge is in a prosperous condition.

WEST BERKELEY LODGE, NO. 206, I. O. G. T.—Was organized February 5, 1880, with the following charter members: J. Alphonso, M. C. Wright, Miss Kate Underwood, Wm. Shanly, J. F. Teague, W. F. Higgins, P. Monroe, Mrs. J. Underwood, J. Underwood, Miss Nellie Higgins, Mrs. C. H. Mason, Miss Teresa Johnson, C. W. Davis, William Johnson, Miss Kate Wright, Mrs. H. O. Heath, W. T. Stanley, Fred. McCaskill, Fred. Esmond, and William Grimshaw. The first officers were: P. Monroe, W. C. T.; Miss Nellie Higgins, W. V. T.; J. Underwood, W. Chap.; W. C. Wright, W. S.; W. Higgins, W. A. S.; F. Esmond, W. F. S.; Mrs. J. Underwood, W. T.; J. F. Teague, W. M.; Miss Kate Wright, W. D. M.; F. McCaskill, W. I. G.; W. Stanley, W. O. G.; and W. H. Johnson, P. W. C. T. We are informed that there have been three other lodges of Good Templars in West Berkeley, all of which have been forced to surrender their charter. This lodge is, however, in a flourishing condition, and bids fair to live long and do much good.

BERKELEY COUNCIL, NO. 73, I. O. C. F.—Was organized at West Berkeley, April 25, 1882, with the following charter members: J. Alphonso, William Davis, C. W. Davis, J. Brown, E. Forsythe, T. S. Graber, William Grimshaw, P. Monroe, E. J. Parker, F. H. Payne, S. A. Penwell, J. Rooney, P. Sisterna, F. Silva, F. H. Wheelan, J. D. Wangrim, F. Maurer, M. Ludwig, G. Schmidt, D. Jackson. The first officers were: C. N. Terry, P. C. C.; F. H. Wheelan, C. C.; W. Grimshaw, V. C.; J. Rooney, Secretary; J. D. Wangrim, Financial Secretary; C. W. Davis, Treasurer; E. Forsythe, Pilot; J. Alphonso, Marshal; P. Monroe, Warden; A. Brown, Guard; George Smith, Sentinel. The following gentlemen have filled the chair of the chief officer: C. N. Terry, F. H. Wheelan, T. F. Graber. The Present officers are, P. Monroe, C. C.; D. Jackson, V. C.; S. A. Penwell, Secretary; William Davis, Financial Secretary; C. W. Davis, Treasurer. The present membership is thirty-one. Meets on Tuesday evenings at Sisterna Hall.

LE CONTE LODGE, NO. 945, A. L. of H.—Was instituted in May, 1882, with the following charter members and officers: T. F. Graber, P. C.; F. H. Payne, C.; L. H. Long, V. C.; R. R. Reed, Secretary; C. S. Merrill, Coll.; R. G. Houston, Treasurer; L. Davis, Jr., Orator; W. Ellis, War.; H. N. Barry, G.; E. A. Sawyer, Chap.; L. W. Williams, Sentry; W. S. Dibble, J. McClain, J. Anderson, H. N. Marquand, M. L. Hanscomb. The present membership consists of one hundred and seventy-four. The officers for the current year being: L. W. Lang, C.; E. A. Sawyer, V. C.; L. Davis, Jr., Orator; R. R. Reed, Secretary; C. S. Merrill, Coll.; W. S. Dibble, Treasurer; W. Ellis, War.; M. L. Hanscomb, Chap.; H. N. Barry, G.; H. L. Marquand, Sentry.

TAHOE LODGE, NO. 1876, K. of H.—Was organized at West Berkeley, November 28, 1878, with the following charter members: I. M. Wentworth, D. R. Wentworth, S. Agarter, H. W. Hart, H. Marquand, F. O'Brien, S. A. Penwell, C. H. Richards, A. Rammelsberg, S. Wright, H. W. White, and C. C. Peterson. The first officers were: S. A. Penwell, P. D.; C. H. Richards, D.; A. Rammelsberg, V. D.; W. H. White,

Assistant Dictator; H. Marquand, Reporter; C. N. Terry, Financial Reporter; D. R. Wentworth, Treasurer; S. Wright, Guardian; S. Agiter. The Past Dictators of this lodge have been, S. A. Penwell, A. Rammelsberg, S. Wright, F. O'Brien, W. J. Maxwell. The present officers are: W. Mills, D.; J. H. Cator, V. D.; R. Burcher, A. D.; S. A. Penwell, Reporter; A. Rammelsberg, Financial Dictator; D. R. Wentworth, Treasurer; S. Nelson, Guide; J. Wilson, Guard; S. Wright, Sentinel; T. S. Byxbee, Chaplain. The present membership is thirty-three. Meets on Saturday nights, in Sisterna Hall. The lodge is in a prosperous condition.

WEST BERKELEY PLANING MILLS.—These mills were put in operation in 1874 by J. H. Everding, and were purchased by Schuster & Niehaus, the present proprietors, in the Spring of 1876. Under their management a great deal of machinery has been added, and the capacity largely increased. At present the machinery comprises one planer, one sticker, four saws, one turning-lathe, one band-saw, one jig-saw, one shaper, one tenanting-machine, and one boring-machine. They employ twenty-five men.

WEST BERKELEY BREWERY.—This is a small industry lately started, by ——— Christian, and is not yet fairly in working order.

THE HOFBURG BREWERY.—California is rapidly taking a prominent place as a manufacturing and industrial center, and in no branch of enterprise has the State made such pronounced progress as she has in the brewing industry. Already California beer is a favorite throughout the coast, and even in the Western States. The latest effort in this direction is the Hofburg Brewery, and although the company has only been brewing about six weeks there is a great and constantly increasing demand for their beer far beyond our local boundaries. The firm name is Neller & Co., and the brewery is located at the corner of San Pablo and University Avenues, West Berkeley. The building and apparatus is one of the most compact and convenient in the State, and was arranged with a view to rapid and extensive production. At the rear of the main building is the pump over a well of pure, cool, gravel water oozing out of a well sixty-five feet deep and eight feet in diameter, a second well of equal capacity adjoining and connected with the main well. As pure water is a prime requisite in the brewing of beer, the company spared no effort in locating their well in the best possible position, prospecting two years before they were finally satisfied. The result of a close analysis was eminently satisfactory, and they now claim to have the best water for their purpose on the coast. They can tap fifty feet of water even after they cease pumping for twelve hours. Close by the well is an improved pitch machine and furnace for glazing the inside of the barrels to obviate the woody taste so common to ordinary beer. The engine, to which is attached a pump for distributing hot water to every portion of the building, was built by Clot & Meese, of San Francisco, and has a capacity of twenty-five-horse-power. The boiler is forty-eight inches by sixteen feet. The buildings are located on a plot of ground an acre and a quarter in extent, the main building having a frontage of eighty feet, by forty feet in depth, being three stories in height. The office adjoining is twenty-four by eighteen feet. The mash-tub, which is located in the second story of the main building is an improved

patent by Andrew Stroebel, one of the proprietors of the brewery. It was built by Leopold Keiffer, an experienced millwright, and is five feet high and twelve feet in diameter, having a capacity of over four thousand gallons. In the tub is a patent washing-machine, above which projects a capacious hopper, the whole apparatus having a brewing capacity of five hundred barrels per day. The kettle receiving the mass has a capacity of seventy barrels, or two thousand one hundred gallons. By means of a powerful beer-pump the brew is forced to the cooler in the third story. The cooler is a zink-lined shallow, open, parallelogram forty by thirty-six feet with a capacity of four thousand five hundred gallons. The tanks used as adjuncts contain from four to five thousand gallons each and the hogsheads in the cellar, eight in number, contain about five hundred gallons each. All these tanks and hogsheads were made by the company's cooper, Julius Lehman. Attached to the running apparatus is a patent heater, patented by Herman Gantert about two months ago, the improvement being that cold water may be converted into hot water and steam in one minute and conducted to any portion of the building. The capacity of the brewery at present is twenty-five thousand gallons, or seventy barrels, per day, but this out-put can be easily doubled when occasion demands, and, judging by the popularity which the beer has already attained, this will soon be necessary. Andrew Stroebel, one of the partners, formerly connected with the Fredricksburg Brewery in San José, has charge of the brewery proper, and his adaptability for the work he has undertaken is already apparent in the superior excellence of the beer he is brewing. The bottling department is in charge of C. Turk, who will receive orders for keg or bottle beer at the general depot on the corner of Fifteenth Street and San Pablo Avenue.

OAKLAND STOCKYARDS.—In 1876, H. M. Ames selected a site on the bay out nearly to West Berkeley as a suitable location for a stockyard and slaughtering-house. He began business there in a small way, expecting the railroad to soon be completed to Berkeley so that he could have shipping facilities. But in this he was disappointed for that year, and after a few months gave it up. During the next year the road was built, and the site chosen by Mr. Ames being considered very eligible was decided upon by others who located there, and the business has grown until now the following named gentlemen are engaged in the slaughtering business at this point: Messrs. Grayson, Harrell & Co., Morris & Crow, Stewart & Co., Avey, and Watkins. Mr. Avey is engaged in the slaughtering of sheep, and Mr. Watkins in the hog butchering business. The first three named firms slaughter about nine hundred animals each, per month. An extensive tripe-works is also located at this point.

STOCKYARDS TANNERY.—This industry was begun by Messrs. Cook & Corder, at the Oakland Stockyards, in April, 1876. At that time they erected a building one hundred feet square and two stories high. There are twenty vats in use. They also do a large wool-pulling business, their average being about twenty thousand pounds per month. An engine is used for power about the place.

CARBON-BISULPHIDE WORKS.—This article is more generally known by the name of "squirrel poison," from the fact that it is used very extensively for the purpose of exterminating those pests. It is also used by many vineyardists as a means of stay-

ing the ravages of the phylloxera, though whether or not it has ever accomplished this object is a mooted question, with the most of the argument in favor of the negative. The works were established in November, 1882, by J. H. Wheeler, the present proprietor.

WHEELAN'S FLOUR MILLS.—These mills are the property of F. H. Wheelan, and are located at West Berkeley. Business was begun in June, 1881. There are two runs of stones, and machinery for making pearl barley, cracked wheat, oatmeal, cornmeal, and Graham flour. The engine is forty horse-power, and the building is fifty by seventy-five feet, and two stories high.

PIONEER STARCH WORKS.—These works are located at West Berkeley, and are owned and conducted by J. Everding & Co. They began the business in San Francisco in 1854, and moved to West Berkeley in 1855, so the works may well be termed "pioneer." The works are on a small scale.

BERKELEY LUBRICATING OIL WORKS.—This industry was originated by A. C. Deitz & Co., who are the present proprietors. In October, 1880, operations were begun in a building about half a mile north of Delaware Street, West Berkeley, but a year later the works were destroyed by fire. Nothing daunted by this disaster, the firm at once established their works at the present location in West Berkeley. The building is sixty by one hundred feet, and one story high. There is also a refining-room, about twenty-five by fifty feet, in the rear of the main building. While the works are known as a lubricating-oil manufactory, yet refined coal-oil is made here at the rate of fifty barrels per week. The crude petroleum is procured from Ventura County, and refined at the works, where a fine grade of oil is made. The residuum is used for lubricating purposes. There are a number of products resulting from the distillation of petroleum, but coal-oil and lubricating-oil are all that are worked up at this place.

STANDARD SOAP WORKS.—This, the leading industry of this kind, both in Alameda County and on the Pacific Coast, was set on foot in 1875, by R. P. Thomas. In that year five acres of ground were secured adjacent to the ferry-landing at West Berkeley, and a main building one hundred and fifty by two hundred and fifty feet, and three stories high, was erected thereon. On the south of this and adjacent to it is an engine-room seventy-five by forty feet, and a box factory of the same dimensions. On the north side there are two wings, each fifty by one hundred feet, the westerly one being used for a storage room, and the easterly one for a barn. At the northern extremity of the enclosure is a warehouse, fifty by two hundred feet. In the engine-room there are four boilers, used for generating steam for the engine and for the processes of soap-making where steam can be utilized. The engine used is sixty horse-power. In the box factory there is all the machinery necessary for prosecuting that important branch of the industry, such as rip and cross-cut saws, planers, etc. A great amount of lumber is consumed annually in the manufacture of boxes, for the bulk of the product of these works is boxed before being placed upon the market. On the lower floor of the main building may be seen great quantities of soap in huge blocks ready to be cut up into bars of the proper size. On the second floor this pro-

cess is conducted, also the stamping of the bars. For this purpose on this floor there are three hand-presses, and one run by steam. Here, also, is the machinery for the manufacture of washing-powder, which is very popular, and is packed in ten-pound boxes, and in one-pound packages. Here, also, are the mixing machines; also, lye-tanks and drying-rooms. On the third floor are also a number of lye-tanks. Here are seen the tops of two monster soap kettles, each having a capacity of two hundred thousand pounds. These kettles extend from the third to the first floor, and are about thirty feet in diameter. On this floor is the printing department, where three job-presses and one cylinder press are kept constantly at work. The out-put of the office is one million wrappers per month. The outfit of type is complete, and some excellent chromatic work is turned out in their illuminated pamphlet covers and fancy labels. The toilet, castile, and other fancy brands of soap are made, stamped, and packed on this floor. In the toilet soap department four presses are used for stamping the designs upon the bars, different dies being used as required. After the soap is ready for shipment it is stored in the warehouse to await sale. The process of soap-making, while appearing simple, is yet very complicated, not that the various stages of it are hard to comprehend, but that the ultimate result may be perfect requires a thorough knowledge of the business. The ingredients, which, every one knows, are fatty substances, usually tallow, lye, and resin, are mixed in proper proportions in large kettles, and sufficiently cooked. It is then drawn off into a series of frames, and allowed to become solid, when the frames are removed and the soap is then in a block about fifteen inches wide, three feet high, and four feet long. These blocks are passed through a frame-work of wires, which cuts the soap into slabs of the required thickness, and they again are cut by a wire contrivance into bars and cakes of requisite length. The cakes are then stamped, wrapped, boxed, and labeled, and placed in the warehouse ready for shipment. For toilet soaps only the purest ingredients are used. After going through the process described above, it is cut into thin shavings and placed on tables to be bleached. It is then crushed and pressed into cakes, stamped, wrapped, and packed in paper boxes ready for the market. For all this there are a number of machines, which it is unnecessary to describe in this connection. Castile soap is made by what is known as the cold process; that is, the ingredients are mixed cold, and placed in the frames, and the soap is cooked by the heat generated by chemical action. The lye is made from caustic soda, which is imported from Liverpool in sheet-iron casks. The works are located on a tract of five acres. Sixty men are employed in the different departments, and the products of the works amount to one million pounds of soap per month. The railroad runs in front of the works, and a side-track allows cars to be loaded at the door. Shipments for the city are made by the Berkeley ferry-steamer, owned by this company.

WENTWORTH BOOT AND SHOE COMPANY.—Operations were begun by this company in April, 1879, in the old Cornell Watch Factory building at West Berkeley, which was most excellently adapted for the purposes of a boot and shoe factory. I. M. Wentworth is President of the company; C. L. Field, Secretary; I. M. Wentworth, Superintendent; and W. H. White, General Manager. One hundred and fifty men are employed, and an average of forty dozen boots and shoes per day are manufact-

ured. A great amount of the work is done by machinery, which expedites business very much. The machinery is run by steam. On Fell Street, San Francisco, this company has a very large factory, in which two hundred and fifty men are employed. The building at West Berkeley is fifty by two hundred and fifty feet, and is four stories high.

BERKELEY "ADVOCATE."—This sprightly suburban journal was established in March, 1877, by the present proprietor, H. N. Marquand. The office outfit comprises a hand-press and job-press, also a full line of body and job type. The circulation of the paper is fully commensurate with the field in which it is located.

SHELL-MOUND PARK.—This park is situated between Emery Station and the Oakland Trotting Park, on the Berkeley Railroad, and is reached every thirty minutes, *via* Oakland Ferry, from San Francisco. It derives its name from one of the ancient Indian shell-mounds which is still in a fine state of preservation, and rises to a height of sixty feet, its summit being crowned with a dancing-pavilion. The park was first opened as a holiday resort in 1876 by E. Wiard, but in 1880 it was leased for ten years to Capt. Ludwig Siebe, who has made various and extensive improvements within the domain. The park contains two of the largest dancing-pavilions on the Pacific Coast, a race-track for games, with covered seats, accommodating two thousand people; turning apparatus, swings, flying-horses, bowling-alley, a shooting-range, containing four thirty-yard targets, one one hundred-yard target, twelve two hundred-yard targets, and four five hundred-yard targets; fruit and ice-cream stand, and shooting-gallery, and a dining-room, where meals are served to the satisfaction of the public.

OAKLAND TROTTING PARK.—This track was originally laid out in 1871 by E. Wiard, the present proprietor, and is justly considered among the finest on the Pacific Coast. It is one mile in circumference, being also fitted with all modern and necessary improvements. It contains two hundred box-stalls for horses, and two hundred cattle-stalls, and is situated opposite Shell-Mound Park, on the line of the Central Pacific Railroad, trains passing it every half hour. In 1879 it was here that the famous St. Julian lowered the record of the world, and trotted a mile in two minutes twelve and a quarter seconds.

DWIGHT WAY PARK NURSERY.—George R. Bailey, Proprietor. This nursery was first established in East Oakland, in 1868, by its present owner, on one block west of Tubbs' Hotel, on Twelfth, and Third Avenue. Commencing with small beginnings the enterprise grew apace, so much so that in ten years it was necessary to move to more spacious quarters, consequently exchanging the property for that now occupied by him in Berkeley near Dwight's Station, he there established a fine nursery where a specialty is made of the cultivation of California evergreens, and Australian forest-trees, although every kind of tree is sold. Mr. Bailey estimates that he has disposed of fifty thousand forest-trees since removing.

TEMESCAL.—It was in the vicinity of Temescal that Vicinte Peralta made his

home, and here he lived a life of ease and plenty. With the settlement of Oakland, its suburbs attracted attention, and to-day Temescal is, to all intents and purposes, a portion of that city, though just without the incorporated limits. It possesses some fine brick buildings, and in its neighborhood are many of the handsomest country seats in the district. Here is the famous fruit-canning establishment of J. Lusk & Co.

ST. LAWRENCE PAROCHIAL SCHOOL.—This is a Roman Catholic school intended principally for the Catholic girls of the parish, and in it, along with various other branches of learning, the pupils are instructed also in the Christian doctrine according to the teachings of the Roman Catholic Church. The school is taught by the Sisters of the Holy Names of Jesus and Mary, and superintended by the rector of the parish. Pupils of other denominations are also received, but are not obliged to recite Catholic prayers, nor learn Catholic doctrine, unless they choose to do so, and with the express consent of their parents. The various branches of a common English education, as also plain sewing, are taught free of charge; instrumental music and foreign languages are extra.

SILVER STAR LODGE, NO. 2, DEGREE OF HONOR, A. O. U. W.—Was instituted March 7, 1877, with seventeen charter members, and the following officers: Mrs. A. E. Pinkham, P. W. S. of H.; Mrs. Ida Stricklin, W. S. of H.; Mrs. F. A. Morrill, S. of H.; Mrs. Emma Young, Sec. The Past Worthy Sisters of Honor have been: Mesdames Pinkham, Ida Stricklin, F. A. Morrill, Lillie Lewis, F. W. Billington, Nellie G. Babcock, M. M. Nixon. Meets on the third Thursday of each month, the number of members on the roll being twenty. The office-bearers for the current term are: Mrs. N. G. Babcock, W. S. of H.; Mrs. Lucky Pike, S. of H.; Mrs. C. Young, S. of C.; Mrs. H. Jones, Sec.; Mrs. F. A. Morrill, Treas.; Mrs. Hattie E. Harrison, S. U.

NORTH TEMESCAL TEMPLE LODGE, NO. 11, A. O. U. W.—This lodge was instituted December 4, 1877, with the following charter members: H. C. Babcock, R. K. Latimer, E. Caruthers, P. Shuttzheis, T. W. Hargreaves, H. M. Whaley, J. H. Rickard, C. F. Lewis, J. Collard, T. F. Bacon, J. M. Fowler, T. Pollard, C. M. Young, H. H. Linderman, S. M. Harrison, G. T. Pinkham, C. R. Norris, J. E. Stricklin, P. F. La Prince, A. McAdams, R. B. Nixon, S. F. Morrill, M. H. Weed, C. A. Stearnes, G. K. Scott, M. J. Morse; the original officers being: C. F. Lewis, P. M. W.; R. B. Nixon, M. W.; R. K. Latimer, O.; C. M. Young, Gen. For.; E. Caruthers, Recdr.; H. C. Babcock, Fin.; S. F. Morrill, Rec.; F. J. Morse, G. The Past Masters have been: C. F. Lewis, R. B. Nixon, G. W. Beagle, H. C. Babcock, S. F. Morrill, M. J. Morse, C. M. Young, W. H. Eadon, O. R. Morgan, S. N. Harrison. The lodge, which meets every Monday evening, has a membership of forty-seven, with the following officers for the current year: C. Stearnes, M. W.; B. Kneale, F.; T. Pollard, O.; H. P. Jones, Recdr.; H. C. Babcock, Fin.; J. Beaudette, Recr.; J. Seidess, G.

TEMESCAL GRANGE, NO. 35, P. OF H.—Was organized July 1, 1873, with the following officers: A. T. Dewey, M.; C. Bagge, O.; J. S. Collins, Sec. The grange has now forty-one members on its muster-roll with the officers for the current year as



George J. Baker

under: Walter Renwick, M.; C. Bagge, O.; Ed. Wallet, S.; W. G. Klee, A. S.; Mrs. S. H. Webster, Lect.; Mrs. S. H. Dewey, Chap.; L. Frink, Treas.; Mrs. N. G. Babcock, Sec.; Mrs. Emily Bagge, Ceres; Mrs. Eliza Brooks, Pomona; Miss Ida Bagge, Flora; Mrs. M. A. Renwick, L. A. Steward.

GOLDEN STATE COUNCIL, No. 40, O. C. F.—Was organized August 4, 1881, with thirty-six charter members and the following officers: E. J. Sayer, C. C.; A. S. Sayer, V. C.; H. Vandre, P. C. C.; H. B. Jones, Fin.; A. Pease, Recdr.; L. Lusk, Treas. The membership numbers forty-six and the present officers are: L. P. Lusk, C. C.; H. B. Jones, V. C.; Mrs. Hanifin, Fin. and Treas.; E. J. Sayer, Sec.

CLAREMONT COUNCIL, No. 74, I. O. C. F.—Was instituted April 29, 1882, with twenty-two charter members, and the following officers: Warren Heaton, P. C. C.; A. D. Colby, C. C.; S. N. Harrison, V. C.; Nellie G. Babcock, Sec.; B. Kneale, Fin.; F. E. Mitchell, Treas.; J. F. Reinhardt, Prelate; Emma D. Stearnes, Mar.; E. R. Healy, War.; J. Beaudette, G.; F. Kelsey, Sen. The Past Chief Councillors have been, Warren Heaton and A. D. Colby. The lodge now numbers thirty-eight members on its roll, who meet every Thursday evening, with the present officers, viz.: S. N. Harrison, C. C.; F. E. Mitchell, V. C.; Mrs. N. G. Babcock, Sec.; Lizzie E. H. Beebe, Fin.; Robert J. Beebe, Treas.; Mrs. F. A. Morrill, Prel.; Mrs. F. W. Billington, Mar.; Mrs. M. L. Mitchell, War.; Martha M. Nixon, G.; W. Heaton, Sen.

PIEDMONT.—This place vicariously known as Piedmont Park or Piedmont Springs is situated in the foothills about three miles distant from the City Hall in Oakland. It occupies a plateau about three hundred feet above the bay and commands varied scenery of the utmost beauty. The Piedmont Land Company have laid out several hundred acres with such artistic regard to the topography of the ground that when all improvements are effected it will be one of the most delightful resorts in the neighborhood of Oakland. There is a fine hotel on the place, and several magnificent mansions adjacent to, the most notable of these being perhaps that of I. L. Requa.



WASHINGTON TOWNSHIP.

GEOGRAPHY.—Washington Township is bounded on the north by Eden and Murray Townships; on the west by Murray Township; on the south by Santa Clara County; and on the east by the San Francisco Bay.

TOPOGRAPHY.—Like Eden Township the topography of Washington comprises a level valley backed by mountains. The area is about sixty-eight thousand acres, and with the single exception of Murray is the largest of Alameda's townships, its proportion of cultivable to mountainous land being also the greatest. On the shores of the bay there are salt-marshes, backed by the fruitful valley lands, broader here than anywhere, retreating gracefully, with many a soft undulation until culminating in Mission Peak two thousand two hundred and seventy-five feet above the level of the sea, the highest point of the Contra Costa Range.

VALLEYS.—The Alameda Cañon is the only valley in the township, although there may be several other gorges in the foot-hills that could hardly be dignified by such a name. Up the steep ascent of the Alameda Cañon the Central (formerly Western) Pacific Railroad winds its tortuous way, passing through scenery than which there is none more romantic in the State, and finally arrives on the level plain of the Livermore Valley at Pleasanton. On either side the way is lined with high precipitous rocks several feet in the sheer, while at their base rushes the purling, prattling brook from whence the cañon takes its name.

STREAMS.—Chief among the flowing water-ways of the county is the Alameda Creek, from which it takes its name. Having its source in the lagoons of Sanol and Livermore Valleys, and fed by mountain brooks on every hand, it wends its turbulent way through the romantic cañon to which it gives its name, and after becoming a peaceful sleepy stream as it feeds the fertile acres through which it meanders until it is claimed by the larger volume of the bay of San Francisco, where it becomes known as the Union City Slough. The coast line of the township is indented, however, with several of these estuaries, that may be described as Coyote Hill Slough, on which is Alviso's Landing; Beard's Slough, with Mayhew's Landing; Mowry's Slough with the landing of the veteran pioneer of that name; a little distance north is Green Point, or Dumbarton Landing, the next to it being the Warm Springs Landing. There are a few small mountain streams, such as the Sanjon de los Alis, the Segunda, or Dry, Creek, the Mission Creek, the Agua Caliente, the Agua Fria, the Calaveras and Lone Tree Creek.

CLIMATE.—Generally the climate of Washington Township resembles that of Eden, but in the vicinity of Mission San José have we the finest on the whole eastern side of the bay of San Francisco. It would be hard to find any spot in the world more favored, while it is within the influence of a warm belt where damaging frosts

are unknown, and the extent of which is about two miles in width and nearly twelve in length. This belt commences usually at an altitude of about four hundred feet* above the level of the valley and extends sometimes to a considerably higher elevation. It is so distinctly defined that residents of the higher lands in riding up from the valley, in the night-time, when the air is still, can tell within a few rods where they will enter the warmer currents. This immunity from frosts makes some species of tropical fruits produce well, such as the orange, lemon, citron, palm, prickly pear, etc., and here does the grape attain the highest perfection, while nowhere else in California does the "good red wine" obtain so truly rosy a tint.

SOIL.—For the most part the soil is similar to that of the other townships bordering on the bay, that in the vicinity of Mission San José being adobe of about four feet in thickness, resting upon a gravelly stratum similar to the bed of a stream composed of sand and gravel, which induces to a perfect natural drainage, a fact that renders it so eminently suited to the culture of the vine and fruits generally.

PRODUCTS.—The good Fathers who founded the Mission San José were the first testers of the soil of Washington Township, their prime efforts being in orchards and vineyards.

From the days that immediately succeeded the flood we have accounts of vineyards and wine-using. In the book of Genesis 9: 20 we read: "And Noah began to be a husbandman, and planted a vineyard, and drank of the wine." It is reasonable to suppose that if Noah knew how to manufacture wine after the flood, he also knew how to do it before that event occurred, and so did his fathers before him. To make and drink some kind of fermented and intoxicating beverage seems to be the common impulse of humanity, wheresoever dispersed around the globe. No nation was ever yet so highly civilized that it outgrew that taste, and no tribe is so primitive but that it has attained it. Almost everything that grows has been brought into requisition for the manufacture of spirits. Grapes make wine and brandy; wheat, barley, rye, and maize produce whisky; sugar-cane, rum; apples, cider; palm-trees, *atole*; cacti, aguadienti; barley and hops, beer and ale; the leaves and bark of the spruce-tree are often brought into requisition for the same purpose; and then there is blackberry, raspberry, elderberry, currant, rhubarb and *et id genus omne* kinds of wine. Whether or not this natural desire for these beverages is one of the taints that came upon the race through Adam, is not our province here to speculate. In all things we must deal with mankind as we find it, letting the mooted question stand aside for the consideration of others.

It is the abuse of the good things of life that has led the human family into disaster, and not the use of them. The intemperate use, which is the vilest of abuse of our greatest blessings, entails the greatest woes upon us. Both sacred and profane history is full of references to both the good and bad results which flow from the use of wine. Babylon, the Mighty City, fell into the hands of the enemy while the king and chief officers were in a drunken revel. "Wine is a mocker and whosoever is deceived thereby is not wise." "Look not upon the wine when it is red, when it giv-

*The Mission San José is 450 feet higher than the bay of San Francisco.

eth its color in the cup; for at last it biteth like a serpent and stingeth like an adder." "Who hath woe? Who hath contentions? Who hath wounds without a cause? They that tarry long at the wine; they that go to seek mixed wine." Such and kindred passages can be found in the Bible; yet, when the Divine Master, Jesus, came into the world, his very first miracle was to make wine at the marriage feast in Cana of Galilea. And Paul, the great expounder of Christ's teachings, tells Timothy to take a little wine for his stomach's sake.

The moral phases which this question of wine-making presents, are of the greatest importance, and deserve to be considered first of all. "What shall it profit a man if he gain the whole world and lose his own soul?" is a very pertinent question just at this point. Of what avail if the coffers of the world are emptied into Alameda County, if the succeeding generations grow up to be a race of drunkards? Then comes at once the question, "Is there any danger of such being the case?" To this question we can give no answer, nor anyone of to-day. Only time can demonstrate what the ultimate effect will be on generations yet unborn. For parallels, however, we can go to the wine-producing countries of Europe, where more than ten generations have passed by since the advent of wine-making as an industry, and see what the effect has been there. T. Hart Hyatt, author of a volume entitled "Grape Culture," and a man of vast experience and extended observation, having traveled all over the world almost, says in the introduction to his able work:—

"To the question, 'Does the production and use of wine necessarily tend to induce or encourage intemperance?' we answer most emphatically and understandingly, No! In all our experience and observation in the wine districts of Europe, and among all classes of Europeans where cheap, pure wines were abundant and the common beverage of the people, we remarked it then, and have reflected upon it since, and all these observations and reflections have left upon our mind the full and clear impression and belief, that there was far less intemperance among the people of those vine-growing and wine-making countries than in our own where all kinds of foul, poisoned, adulterated stuff, under the name of whisky, brandy, rum, gin, etc., is drunk by our people for the want of a purer, more nourishing, and harmless beverage, like that of the pure juice of the grape, now made by all honest viniculturalists in our own country. * * * In Spain, where pure, cheap wines are almost as commonly used as water, we do not recollect to have scarcely ever met with an intoxicated man.

"Pure cheap wines are, in our opinion, better temperance missionaries, and will do more to expel from our midst the accursed fire-water that has done so much to demoralize and debase its victims in our land, than can all the overzealous crusades against wine-growing and wine-drinking that are set forth by our temperance organizations, no doubt from good but mistaken motives of philanthropy.

"It is contended by some that the taste for wine produces a taste for other and stronger kinds of ardent spirits. We do not believe it; it is against our own observation and experience. It might as well be said that the babe should not imbibe the milk from its mother's breast, for fear it would give it a hankering after *milk punch*! For there is quite as much similarity or affinity between these two beverages as between the pure juice of the grape that cheers, enlivens, strengthens, and makes healthy its recipients, and the vile, drugged, poisoned liquors which make their victims mad, drunk, and their 'steps to take hold on hell.'"

We would state in this connection that the above testimony is corroborated by all who have traveled in those countries; and also another fact which we have observed in our visits among the citizens of Alameda County who are engaged in the industry of wine-making, namely, the charge of being a drunkard cannot be laid at the door of one of them. They drink wine as a beverage in its fullest sense, and it is used in most of their families, yet not one of them has developed into a confirmed drunkard, nor do they show any tendencies in that direction. Surely the intelligence, good sense, and due regard for their own and their families' welfare will keep the citizens of this fair valley from degenerating into drunkards—nor will their children's children. No fears need be entertained upon that score.

In considering the subject of viniculture, it will not be without interest to our readers to give a cursory glance at the general history and condition of the industry in the State of California. The first permanent settlers who came to California from civilized countries were the Jesuit Fathers, or *padres*. They came mostly from Spain, a great grape-growing and wine-making country, and nothing was more natural than for them to bring with them this favorite fruit, also the source from which came their favorite beverage, and engraft it into the California soil. Hence the term "Mission" as applied to the black common grape found growing in the vineyards of California when the Americans first came to the country. These old *padres* located upon the very cream of the land, selected the most favored spots, both as to soil and water for the missions. Here they planted the grapevines they had borne over so many leagues of water and barren wastes, and in a short time the fruit of the vine, both as grapes and wine, became quite common.

As a matter of interest we will describe the method of grape-culture and wine-making in those primeval days. A choice spot of rich ground was selected, which could also be easily irrigated, for they had no idea that anything could be produced without the free use of water. The usual method of plowing of those days was pursued, and the ground having been thus rudely upturned and afterwards harrowed with the branch of a tree, the vines were then planted, and the water turned on. They grew rapidly and strongly, and in the course of about three years began to bear quite thriftily. As in the days of Solomon so then, they literally trod the wine-press. The grapes were put into troughs made for the purpose, and the Indians then trod upon them with their bare feet until the whole mass was a pomace. This was then removed and placed in cow-skins, so suspended that they would retain the greatest possible amount of it. These were their fermenting-tanks, and here the pomace remained during that process. When this was accomplished a hole was cut in the skin, and they drew the wine off and put it into casks to await further processes.

And that is the way they made what they called wine in those days. It was sour, unpalatable, and dreggy stuff, yet it answered the purpose, and was relished by those accustomed to its use from youth to old age. In these days of advancement, when the soils best adapted to the growth of the grape is sought out, when the ground is as thoroughly tilled as it is possible to have it, when the crushing is done by steam-power with a patented machine, when the process of fermentation is conducted in pure, sweet casks holding hundreds of gallons, when the entire process of wine-making is conducted in the best light of the age, we who live now look back upon

the primitive wine-makers of our State with feelings almost akin to pity, thinking how great the opportunity and how meagerly it was embraced.

When the first Americans came to the country they followed much in the steps of the Spaniards in regard to wine-making. It was something entirely new to them, and they had no information on the subject at all. Rich lands were sought in which to plant the vines, and much water was applied to make them grow. The Mission variety, with its large seeds and but little juice or pulp, was still in vogue. Finally, in 1856, a new era in wine-making in California began to dawn. All the old settlers will remember Col. Agoston Haraszthy, the founder of the Buena Vista vineyard in Sonoma County. He was a Hungarian noble, of court lineage, who was expatriated for taking a prominent part in a political crisis in his native land. After residing in Wisconsin for a while, he came to California in 1849, and to Sonoma County in 1856, and from that time on he devoted his entire attention to the advancement of the wine and vine interests of his adopted State. Up to that time there were no foreign vines in California. He founded a horticultural society, and began the importation of foreign varieties at once. He believed that vines would thrive without irrigation, and carried out his faith by planting a large vineyard. He thus at once put himself at the head of the wine industry in California, and may with propriety be denominated the father of viniculture in this State.

It will probably always remain a mooted question as to who brought the first foreign varieties of vines into California. It is known that a Mr. Stock of San José had several varieties growing on his place as early as 1858 or 1859, which he had received from his father who resided in Germany. In 1861 Doctor Crane of St. Helena purchased cuttings from the Stock vineyard at the rate of forty dollars per thousand. There was one variety which had no label, and Mr. Stock sold the cuttings at half-price, and they proved to be the now celebrated Riesling.

In 1861 Colonel Haraszthy was appointed by the Governor of the State as a Commissioner to visit the wine-growing countries of Europe, in the interests of that industry of California. The result of this visit to the old countries, was the importation of some three hundred different varieties of vines, many of which are yet great favorites with the vineyardists of the State, and from which are made the most valuable wines now produced. Upon the return of Colonel Haraszthy from Europe, in 1862, he was chosen President of the State Agricultural Society. In 1863 he organized the Buena Vista Vinicultural Society, to which he conveyed his four hundred acres of land in Sonoma.

About this time, he wrote a treatise on the culture of the vine and the manufacture of wine, which was published by the State for gratuitous distribution. This publication, thus generally circulated, called the attention, not only of the citizens of the State, but the people of the world to California, as a wine-producing country, and gave to that interest its first impulse. He had now given the matter a thorough test, and had proved beyond a doubt that wine-making could and would be made a success, and had demonstrated that he knew more than any other citizen of the county about the subject, and took more interest in it than any one.

In the winter of 1858, Colonel Haraszthy planted about eighty thousand vines in a high tract of land east of the town of Sonoma, since known as Buena Vista Vine-

yard, and the growth and progress of this venture were very closely watched by all interested in viniculture. The experiment succeeded beyond the most sanguine expectations of all, and was the beginning of a new epoch in the culture of grapes in California.

Some idea of the immense progress of this industry may be had, when it is stated that in 1866 the estimated wine product of the whole State was only two million gallons, while at the present time it is estimated that there are twenty million acres of grape lands in the State, which if producing the maximum amount would yield annually twenty billion gallons. That this yield will never be reached is doubtless true, but it will be very great indeed.

The cultivation of the grape in Washington Township is coeval with the Spanish settlement of the district. The first foreigners to embark upon it were Messrs. Beard, Ellsworth, and Palmer. It is said that in 1852, Mr. Palmer purchased the Peak vineyard and commenced with ten thousand vines, from cuttings received from France, Spain, etc., but his vines increased so rapidly, that in 1874 he had one hundred and forty thousand vines in all and only ten thousand of the Mission variety. Indeed, it may be said that every inch of ground lying between Niles and the Santa Clara County line, along the foot-hills, is suited for the cultivation of the vine.

At Mission San José is the most marvelous vineyard in the State. Upon acquiring the old Beard homestead, Señor Juan Gallegos at once set to work to beautify the locality. What was already a garden he has turned into a paradise, while he has planted a vineyard covering no less an area than five hundred acres. As one stands on the heights, and looks down the gentle slope towards Washington Corners, one sees what a five hundred acre vineyard means. It means that an amount of land equal to what would make two good sized farms in the Eastern States is here devoted to one especial staple: it means that it requires a princely fortune to keep these grounds in order, and that it needs vast wealth to be able to wait until the vines begin to yield. The day is not far distant when this vineyard will be among the greatest of California's wonders, and will attract the attention of the vine-growers of Europe more than any other has yet done.

Grain is grown generally all over the township, the uplands being the principal locality for wheat and the lower lying grounds devoted to barley, oats, etc. Corn and hops are also grown to a considerable extent, while sugar-beets, onions, and potatoes produce good crops, indeed, some of the potato stories almost equal the proverbial "fish yarns." Messrs. Beard and Horner, after their purchase of the Alvarado ranch, entered largely into the cultivation of tubers, which subsequently became a drug upon the market. It is said that potatoes weighing from three to five pounds each, were by no means uncommon, while Doctor Willey tells in *The Pacific*, that on one occasion, in 1852, at Mr. Beard's, he aided at the sacrifice of one weighing four pounds, which served as a meal for nine persons at the table and three to follow. In that year his yield of potatoes was sixty thousand bushels, averaging, for the most part, three hundred and thirty bushels to the acre.

In the year 1852 Mr. Beard had six hundred and forty acres of grain that yielded on the average, fifty-six bushels to the acre.

The neighborhood of Warm Springs is favorable to the growth of early fruits and

vegetables, while the grain crop in this portion of the township is yearly improving. In the mountains to the back of Warm Springs and the Mission, the country is very rough and is a good deal used for sheep pasture, and several persons about the mission are extensively engaged in sheep-raising.

Washington figures conspicuously in the nursery business also, while its salt lands and beet-sugar manufactory need not receive more than a passing mention here. Indeed, the products of Washington Township may be put down as follows: 1st, Agricultural; 2d, Horticultural; 3d, stock-raising; 4th, sheep-raising; 5th, salt-making; 6th, manufacturing; 7th, wine-making; 8th, storing and forwarding; 9th, mercantile; 10th, fruit-preserving.

MEXICAN GRANTS.—The following are the original Mexican grants in Washington Township. On October 13, 1836, the Rancho del Agua Caliente of two leagues was granted to Antonio Suñol, and by him transferred to Fulgencio Higuerra. The Rancho Arroyo del Alameda was granted by Governor Juan B. Alvarado to José Jesus Vallejo. Before this that gentleman had obtained a grant of one thousand varas square. In 1842 Augustín Alviso, who had been a *mayor-domo* at the mission, settled upon the Rancho Potrero de los Cerritos, and in conjunction with Tomas Pacheco, obtained the above grant consisting of three square leagues. The last grant in the county was made in 1846, of thirty thousand acres of the mission lands to Alvarado and Pico; but this grant was rejected and in December, 1867, United States patents were issued to a large number of men who had settled upon it.

EARLY SETTLEMENT.—Washington Township was the earliest settled portion of what is now Alameda County, and for which we may ascribe two reasons: first, its proximity to the Pueblo de San José, whither all foreigners found their way on first coming to the central portion of California, and, second, its nearness to the Mission of San José, surrounding which there were leagues of well-watered lands.

The first actual settlers were the priests of the Mission and their followers who held sway over the district extending far into what is Murray Township, and as far as San Leandro. Then came the Mexicans who afterwards received the grants, for it was their custom to occupy the lands they had afterwards conceded to them long ere application had been made therefor. The Higuerra family had settled on the Warm Spring Ranch, on what is now the property of Henry Curtner; they built their adobe, which at the time of the American occupation was occupied by Valentine Higuerra, while Fulgencio Higuerra dwelt in another adobe residence, now occupied by his son, Salvio, about a mile to the northward of the store of George W. Peacock. In the original instance there were two buildings at this point, but one of them succumbed to the earthquake of October 21, 1868.

By this time Augustín Alviso had successfully grown quantities of grain, which he disposed of to the Russians at Fort Ross and Bodega, upon his ranch near Centreville, while Don Jesus Vallejo had his mansion, which still stands, in Mission San José at the corner of the road to Washington Corners. These men were all wealthy, counting their cattle by thousands and their lands by leagues.

With the year 1846 came the famous ship *Brooklyn* with her passengers who

formed the earliest permanent settlers of the State. The fair, fertile lands of Washington Township soon attracted their attention, and on the gentle slopes not far from the base of the Contra Costa Range did John M. Horner pitch his tent and there resided until his death. When he took up his residence near what is now known as Washington Corners there was not a single American resident between the Mission and the Contra Costa County line, while there were not five men of the Anglo-Saxon race to the north of the bay of San Francisco. In 1847 Perry Morrison cast his lot in the township, and that same spring Earl Marshall, who too had come out in the *Brooklyn*, arrived at the Mission and embarked in the dairying business. Then came the year of '48 and the discovery of gold, but none settled here then, the mines were too attractive for people to settle down to the humdrum life of farmers; but, in 1849, came the late E. L. Beard, who needs something more than a passing notice at our hands.

Mr. Beard was born in the town of Lyons, New York, on October 15, 1816. In 1830 he went to Michigan, Jackson County, along with his father. The following year he went to Peru, Indiana, and in 1836 settled in Lafayette of the same State, where he remained till he started for California in 1849. He came to this State through Mexico, and located at the Mission San José, where he maintained his residence up till the time of his death on May 8, 1880. His successes and disappointments in California are known to most of our readers and do not need recapitulation. That a man of his noble impulses should pass his declining days in disappointments, the chagrin of hopes unrealized, and the culmination of business reverses, hardly seems compatible with our ideas of the rewards due him who had always a word of cheer for the down-hearted, whose sympathies were always for the oppressed, and to whom no human being in need ever applied in vain. His taste is still to be seen in the beautiful surroundings of Mr. Gallegos fine mansion, in the garden of which are orange-trees planted by Mr. Beard full twenty years ago.

In the year 1850 came Henry C. Smith to the Mission San José, after having shared in the fortunes of Fremont's California Battalion. To this gentleman, more, possibly than to any other, is due the shaping out of Alameda County in 1853. He was appointed by General-Governor Riley an alcalde at a very early date.

In July 1850 Mr. Beard was joined by his family, among whom were his son John L. Beard and his step-son H. G. Ellsworth. In a conversation with the latter gentleman he informed us that in 1849, E. L. Beard had opened a store at the Mission, while H. C. Smith, Jeremiah Fallon, Michael Murray, and William Norris were residents there. Mr. Ellsworth also says that in 1850 there was a mill at Niles, run by water-power, but a very crude affair, owned by Don J. J. de Vallejo, but this was not the first in the township, the Fathers had had a primitive concern, and he and his step-father erected a better and more costly, though a small one, shortly after his arrival. In the year 1850 William Tyson settled in the vicinity of the Mission, and Origin Mowry located on the place where he now resides, known as Mowry's Landing. In this year, too, Ephraim Dyer took up his residence in the district, but he has since permanently located in Murray Township. Ed. Niehaus who came to the township on December 24, 1850, informs us that on his arrival with L. P. Gates, they found John M. Horner living about a mile below the Mission on what

was known as Honda grant, the house being now owned by Jacob Salz, a tanner of Stockton. Don Jesus Vallejo resided in the Mission; E. L. Beard, within the Church property there; Mr. Coombs, a lawyer, dwelt on the place now occupied by James Emmerson; John Niel lived on the Mission grant, where Mr. Overacker now is; Joe Nicholls, where he does now; William Tyson, Perry Morrison, and William Morrison resided together, the estate being now divided between Mr. Tyson's widow and the children of Perry Morrison, the share of his brother William having been purchased by the two others, while he took up his residence in the vicinity of Alvarado, subsequently proceeding to San José. Earl Marshall and Simeon Stivers also resided on the Tyson estate. Charles Hanyon lived next to Mr. Coombs, on the farm now occupied by T. Chadbourne, while Henry C. Smith resided on the hillside on what is now the Taylor ranch, about a mile from the Mission on the Niles road of to-day. Niehaus and Gates themselves located on the Stubbe place. At this time there was a store in the Mission kept by W. H. Chamberlain, while in this year a hotel was opened by James Hawley, who now resides near Alvarado.

On July 1, 1851, William M. Liston came to the township and took charge of two warehouses that had been erected at Alvarado by Henry C. Smith. At this date there were but two dwelling-houses in Alvarado, one of which had a small store kept in it. The third house was erected by Mr. Liston himself, and still stands on the thoroughfare known as Maiden's Lane. In Union City there were three families living, viz.: Dr. Buckland, who had charge of a warehouse belonging to John M. Horner; Captain Richardson and Captain Nowell, who commanded a couple of small craft plying on the bay and had their residences there, besides these a man named John Wilson lived on Alameda Creek not far from the town. Among the names of those who came to locate in the year 1851, we have been able to gather the following: M. Sigrist, John J. Riser, George W. Patterson, George W. Bond, Capt. Stephen Larkin, Joshua Wauhab, Lewis Cass Smith, Christian P. Hanson, Henry Smith, Calvin Valpey, and of course many more whose names we have failed to hear.

In the fall of the year 1851, John M. Horner purchased the steamer *Union* which had been brought in sections from the Eastern States, constructed in San Francisco, and put her upon the route between that city and Union City, and placing her under the command of Captain Marston, that gentlemen took up his residence in the township.

In this year Beard and Horner bought the Alvarado Rancho and commenced the cultivation of potatoes. The part they inclosed was that now owned by the Haleys. In the following year their crop averaged two hundred sacks to the acre, and sold for upwards of one hundred thousand dollars. The following year everybody cultivated them, and there was a plethora. Messrs. Beard and Horner made contracts for the disposal of theirs in advance; they sold them for two and two and a half cents per pound, to the San Francisco commission merchants—Brigham, Garrison, and others. Garrison took a million pounds of them; they were never removed and were allowed to rot on the ground, in consequence of the low price caused by the great abundance of the crop. The firm of Saunders & Co. purchased a large quantity of them, which they stowed away in a hulk in the bay. The warm weather coming on, they commenced growing and threatened to burst the vessel open, when the owners ordered

them to be removed. They commenced casting them into the bay at San Francisco, but the Harbor Master interfered and stopped it, necessitating the expense of removal to some other locality.

Among the gentlemen with whom we have conversed, who cast their lot in Washington Township in the year 1852, is Emery Munyan. When he arrived on July 7th, he found a small warehouse, and the dwelling-house at Mowry's Landing, and H. K. W. Clarke, resided in the ranch-house, now occupied by George Wagner, while near to it was a man named Tompkins. In November 1852 Isaac M. Long built a house where Mr. Thompson now resides, below the village of Newark, which is known as the Dairy Ranch; while about the same time Richard Threlfall took up land in the vicinity. Among others who settled in the township in the year 1852, we have the names of Nathaniel L. Babb, Howard Overacker, Garrett S. Norris, William H. Cockefair, Edward Ross, Henry Curtner, Daniel M. Sanborn, John T. Stevenson, E. S. Allen, Joseph Ralph, James Beazell, Joel Russell, C. J. Stevens, George Simpson, Victor W. Nuttman, Thomas W. Millard, William Barry, George M. Walters.

In the spring of 1852, Henry C. Smith and A. M. Church started a store in the warehouse where now is the establishment of M. J. Peach, while the town of Alvarado had an accession to its strength by the arrival of W. Param and family, Edward Chinnery and his wife, and not long afterward Mr. Church's family came, as did also a Mr. Hayes and his wife. In the fall of the year Peter J. Campbell settled between Centreville and Alvarado as did also the Ralph family on the place now occupied by the widow. In this year Captain Bond put up a blacksmith shop on the present site of Centreville.

At the date of which we write, the agricultural products of California were not as celebrated in the Eastern States as they have since become; but in 1853 some samples of the production of Washington soil, grown on the site of Odd Fellows' Hall at the Corners, were sent to the World's Fair at New York. The San Francisco *Whig and Advertiser* of July 1, 1853, had the following: "Berford & Co. will carry by their express to-day several cases, hermetically sealed, containing samples of California grain, among which are oat-stalks *ten feet three inches* in height, with heads from twenty-two to twenty-eight inches in length; also wheat, product of a single grain, containing seventy spears, inclosing four thousand two hundred grains." These remarkable specimens were the gift of Mr. Sim, a very early settler of the township.

The following are among the settlers in the township during the year 1853: Frank Fries, Hermann Eggers, John C. Whipple, Joseph F. Black, John McRae, Jarel T. Walker, Luther E. Osgood, John Blacow, Farley B. Granger, John Proctor, James Emmerson, Ebenezer Healey, Edward F. Burdick. J. W. Musser, who came to the Mission San José in this year, says that even at that late date the Mission buildings were in their pristine state, while in the village that had sprung up around it there was but one frame building, and which still stands next south to the store of Erhman & Lebrecht. Among the names of residents which he recollects are those of E. L. Beard, Augustus Johnson, David Howard, Adolf Sellman, Clemente Columbet, who had a vineyard, and W. H. Chamberlain, who kept the store. In 1854 he disposed of it to J. W. Chamberlain, and in 1856 the business was purchased and became Musser & McClure, who sold in 1866 to Bachman & Erhman.

In the year 1854 Mr. Beard sent to the Eastern States for a large number of fruit-trees, such as apples, but they, for some unexplained reason, failed when planted. In this year the first hotel in Centreville was built by William Morgan, on the site now occupied by the Gregory House; while a man named Day settled on the Bain place, the property being previously occupied by renters. On May 18, 1854, Ezra Decoto took up his residence in the township where he now resides. At this time, between Decoto and Niles, Antone Joseph was living where he does now; Hank Smith dwelt near Dry Creek, and John Hanna, agent for the Clarke Ranch, had the land now owned by John Whipple. Between Decoto and Haywards there were only a few houses, among the residents being Sanford Taylor and F. W. Meyer. Among the settlers in the year 1854, there are the names of Elijah Foster, August May, August Heyer, Michael H. Ryan, John Taylor, Henry Dusterberry, William Wales, Z. D. Cheney, Silvester P. Harvey, Andrew J. McLeod, William H. Mack.

After the year 1854 the settlement of the township was general, while the people took up their positions as well-to-do, hard-working farmers. We will therefore wind up the general history of the township by producing such names as we have been able to gather, and the years of their casting their lot in Washington:—

1855.—Philip Thorn, William H. Healey. 1856.——— Healey, Edward Murphy, Henry F. Nebas, James Shinn, James A. Brewer, A. B. Montross. 1857.—E. H. Dyer, Howard S. Jarvis, Walter Baker, George W. Babcock, James Sinclair, Samuel K. Brown. 1858.—Antonio Bardellini, Maas Lueders, William Gibbons. 1859.—David H. Beck, James J. Stokes. 1860.—J. C. Haley, E. A. Richmond, Nicholas Bergmann, Adolphus Decoto, John Decoto, Jacob F. Meyers. 1861.—Israel Horton. 1862.—Ivan J. Tifoche. 1863.—J. A. Bilz, Alson S. Clark, B. D. T. Clough, Solomon Erhman. 1864.—W. P. Abbey, A. A. Overacker, Michael Ryan. 1865.—M. W. Dixon, F. C. Jarvis, Hugh Doherty, Peter McKeany.

Other sections of California, particularly the southern counties, have been admired and lauded for the productiveness of their soil and the salubrity and pleasantness of their climate; but no county can surpass Alameda either in health, pleasure, or profit, when a permanent family residence is sought. The Alameda County *Independent*, a newspaper published at Washington Corners, on June 5, 1875, says: "Last week we paid a visit to the hospitable home of one of the old settlers of our county, to wit, William Whidden, Esq., who owns two hundred and fifty acres near Alvarado. The ground in that district is subject to overflow every winter, the effect of which is greatly to enrich the soil and preserve its fruitfulness. Land that has been tilled every year for twenty years is just as productive now as it was two decades since. That is the case with this farm. Last year fifteen thousand bushels of onions and three thousand sacks of beans were raised on it, the sacks averaging about sixty-five pounds, while the onions were so prolific that one single acre produced six hundred bushels. Carrots to the amount of nearly six hundred tons, eight hundred sacks of barley, two hundred and fifty sacks of potatoes, about fifty tons of squashes, and fifty sacks of corn were also produced. Two years before, twenty-seven acres of barley brought one thousand seven hundred and fourteen dollars cash, at home. Onions are sold at from one to five cents per pound. Of fruit-trees there are not less than five hundred, consisting of apples, pears, plums, cherries, crab-apples, quince and peaches.

The varieties of berries cultivated are blackberry, raspberry, and strawberry, chiefly for home consumption; and four acres of cherry currants, yielding three or four tons to the acre. The price of these runs from six cents, early in the season, down to two cents per pound at last.

"The live-stock keep pace with the other products in quality if not in quantity. There are nine families of tenants on the place, and sixty to seventy workmen employed. The lessees get two-thirds of the produce of the land, giving one-third for its use to the owner—each party furnishing his own sacks."

The above facts show what can be done and what has been done for a great many years on one farm, and that but two hundred and fifty acres in extent.

Another class of Washington products that may be noticed is the splendid Merino sheep of Mrs. Blacow, finer than which there are none in any part of the world. There is still yet an article of commerce and a source of wealth that is cultivated to the highest perfection in Washington Township. We allude to hops. In 1873 B. Benedict and J. B. Shirk commenced the cultivation of this commodity near Alvarado and up to the present have prosecuted the industry with marked success.

It will be unnecessary here for us to make mention of the manufactures of beet sugar and salt; histories of these will be found further on. We will, therefore, now draw the reader's attention to the following short sketches of the rise and progress of the towns in the district:—

ALVARADO.—As having once borne the honors of the Capitolian crown, Alvarado may be said to have precedence of the other small towns in Washington Township. With it, for the purposes of this sketch, may be included the places which bear the names of Union City (called after the steamer *Union*), and New Haven. In the month of July, 1851, William M Liston, the present proprietor of the Alvarado Tavern, came to the place to take charge of two warehouses that had been built by Henry C. Smith. Besides these erections there were two dwelling-houses for other *employés* of that enterprising gentleman. The third house was built by Mr. Liston, and still stands on Maiden Lane, while, in one of the original dwellings, was a small store, the only one in the place at that time. In Union City, at the period of which we write, there were living Dr. Buckland, who had charge of warehouses, the property of J. M. Horner; Captain Richardson, and Captain Nowell, both of whom commanded small craft running between that point and San Francisco, while a man named John Wilson had a residence on Alameda Creek, not far from the town.

In the Fall of 1851 John M. Horner purchased the steamer *Union*, a boat that had been brought out from the East in pieces and put together in San Francisco, and placed her on the route between Union City and San Francisco, under the command of Captain Marston, who took up his residence at the former place. This small community was added to in 1852, by the arrival of C. J. Stevens, now of Livermore, and his sister; and in the same spring, A. M. Church joined Henry C. Smith and started a store in the warehouse now occupied by M. J. Peach. About this time there also came to the village W. Param and his wife, Edward Chinnery and his wife, William Hayes and his wife, Mr. Church being also joined by his family. In the following year Alvarado was made the county seat of the newly created Alameda County, while it was then that John M. Horner erected the grist-mill, that was, after being conducted

for some time by C. J. Stevens, subsequently removed to Livermore, and was there destroyed by fire in the winter of 1882.

With the establishment of the seat of justice at Alvarado several settlers took up their abode in the place, for it was thought that before long it would blossom into something more than an ordinary village. That year, 1853, a private school, with five pupils, was opened, the rate of tuition being five dollars per month, while not long after a public school, taught by Mrs. Warren, was started in the residence of Captain Marston.

The Court House was established in the upper story of the warehouse used by Messrs. Smith & Church as their store, while the county offices were in other buildings scattered about the town.

Since the county seat was finally removed from Alvarado the town has made but little progress, still it has considerable commercial advantages, consisting in its facilities for shipping by the bay, and its railroad connections.

Among the features of Alvarado may be mentioned its artesian wells, one of which, belonging to Captain Barrow, probably has a larger flow of water than any other well of this class in the State, the stream having a body of about eight inches square.

Beet-sugar-making in California was inaugurated in Alvarado in 1869, by a joint-stock company, with a large capital invested in buildings and the necessary machinery. The works were a short distance northeast from the town, on lands of E. H. Dyer, to whose interesting sketch of the rise and progress of this industry we would refer the reader. Another important industry in Alvarado is that of salt-making, an interesting statement of which has been made in the early portion of this work. Not until 1862 was the business of salt-making engaged in. In that year John Quigley, a pioneer salt-maker of Alameda County, commenced operations at Alvarado or Union City, where he still continues the business he inaugurated. The process originally employed (and substantially in use now) consisted in admitting, with the rising tide, the salt water upon a level surface of the ground which had been dyked into vats. These being filled to the required depth, the connection between them and the outside water is severed, and the water in the vats allowed to evaporate until the chloride of sodium (salt) can be gathered up. This description of salt-making is not designed to represent the somewhat complex methods employed at the present day, but merely to show the main feature—atmospheric evaporation. As conducted at the present time, a series of wooden vats are generally employed, and the brine treated to a variety of processes before the salt is brought to commercial shape.

CRUSADE LODGE, No. 93, I. O. O. F.—This, the first I. O. O. F. lodge established in the county, was organized November 26, 1859, by Past Grand Jacob L. Van Bokelen, and Deputy Grand L. L. Alexander, with the following charter members: Charles S. Eigenbrodt, P. G.; Albert E. Crane, James Hawley, William M. Liston, William Morrison, William Hayes, W. H. Hawthorne, George Simpson, N. B. Eldred; the first officers being: Charles S. Eigenbrodt, N. G.; Albert E. Crane, V. G.; James Hawley, Rec. Sec.; William Hayes, Treas.; William M. Liston, Per. Sec. The pres-

ent membership is forty-seven, while the officers for the current term are: Charles A. Plummer, N. G.; M. W. Ingalls, V. G.; Henry D. Goodman, Rec. Sec.; Joseph McKeown, Treas.; F. B. Granger, Jr., Per. Sec. The lodge meets in their own hall every Saturday evening, which was erected in 1864 by the Odd Fellows' Hall Association, the stock being now entirely in the hands of the lodge. The building occupies an area of forty by sixty-five feet, the society being in a flourishing condition, with assets of seven thousand dollars.

RELiance LODGE, No. 93, A. O. U. W.—This lodge was organized April 15, 1881, with the following charter officers: A. J. Hare, P. M. W.; W. F. Ingalls, M. W.; O. L. Southwick, G. F.; Charles R. Neaurt, O.; J. M. Ingalls, Rec.; F. R. Stokes, Fin.; W. F. Emery, Rec.; Antonio Lee, G.; A. Bain, I. W.; William Wells, O. W.; and eighteen charter members besides. The present membership is forty, and the officers for the current term are: W. F. Emery, P. M. W.; Taylor Ralph, M. W.; S. H. Hall, F.; P. Plourd, O.; E. A. Anderson, Rec.; E. A. Richmond, Fin.; Charles Nuwart, Rec.; J. W. Robinson, G.; A. Muller, I. W.; P. Matthews, O. W. Lodge meets in Odd Fellows Hall on the first and fourth Wednesdays of each month, and is in a flourishing condition.

BEET-ROOT SUGAR INDUSTRY AT ALVARADO.—No history of Alameda County would be complete without some mention of the rise and progress of this promising industry, which, so far as California and the Pacific Coast are concerned, had its origin at Alvarado—its failure and its final success.

The first attempt to manufacture beet-root sugar in California was made at Alvarado in 1869. Messrs. Bonesteel, Otto & Co., who were engaged in a small way in the business at Fond du Lac, Wisconsin, opened a correspondence upon the subject with Gen. C. I. Hutchinson, E. H. Dyer, and others on this coast. The matter was pushed with zeal, and the "California Beet Sugar Company" was soon organized with a capital stock of \$250,000. The stockholders were: Gen. C. I. Hutchinson, Flint, Bixby & Co., T. G. Phelps, E. H. Dyer, E. R. Carpentier, E. Dyer, W. B. Carr, W. T. Garratt, and E. G. Rollins, all well-known capitalists and enterprising business men of California; and A. D. Bonesteel, A. Otto, and Ewald Klinean of Wisconsin. The Eastern parties, who were to assume the technical management of the business, arrived in California in the spring of 1870, and arrangements were immediately made for the erection of a factory. The location chosen was the farm of E. H. Dyer, at Alvarado. The work was pushed with such energy that the building was completed by the contractor, B. F. Ingalls, Esq., in November of the same year. It is unnecessary to follow minutely the history of this company. It is sufficient to say that after running four years at Alvarado, through the incompetency of the technical managers, it proved a financial failure. Messrs. Bonesteel and Otto claimed that the location, at Alvarado, not being a suitable place for the business was the cause of the failure, and succeeded by their plausible representations in organizing a new company, which purchased the Alvarado machinery, and removed it to Soquel, Santa Cruz County, where, after operating a few years, subjecting its stockholders to a heavy annual loss, the enterprise was abandoned.

E. H. Dyer, who had bought the buildings and a portion of the land owned by the old company at Alvarado, still had faith in the business, believing that, with good management, it could be made to pay at that place. He found it very difficult, however, in the face of so many failures to induce capitalists to invest a sufficient amount to give the business another trial, and it was not until February, 1879, that the "Standard Sugar Manufacturing Company" was incorporated. The company consisted of A. E. Davis, O. F. Giffin, E. H. Dyer, Prescott Scott & Co., J. P. Dyer, and Robert N. Graves, with a capital of \$100,000. It was soon ascertained that more capital was needed, and the company was re-incorporated under the name of the Standard Sugar Refining Company, with a capital stock of \$200,000. The officers are: O. F. Giffin, President; J. P. Dyer, Vice-President; E. H. Dyer, General Superintendent; W. F. Ingalls, Secretary; Trustees, O. F. Giffin, R. N. Graves, J. P. Dyer, G. H. Waggoner, and E. H. Dyer. This company has made a success of the business from the start. It earned thirty-three per cent. on the capital invested the last or third campaign, and is now just commencing on its fourth campaign with very flattering prospects. The success of this important home industry is greatly due to the general management of Mr. Dyer, who owns one-fourth of the stock, and who, profiting by former experience, is able to avoid many mistakes which have caused the failures of other establishments of the kind. The present factory has been enlarged and improved, until it now has a capacity of about one hundred tons per day, employs, at the factory, one hundred and twenty-five men, to say nothing of the great amount of labor necessary to produce the beets, harvest, and haul them to the factory. One to obtain an adequate idea of the business of this company, and the great good it is doing in the way of using the products of the farmers, and keeping employed so many of our people, should see the works in operation during the months of September, October, and November, when beets are being received. There are frequently lines of teams, all heavily laden with beets, from a quarter to sometimes half a mile in length, pushing along in line to reach the company's scales, and deliver their loads. It is a scene of great activity. From fifteen to twenty thousand tons of beets are used each campaign, which requires for their production ten to fifteen hundred acres of land. The company disburses among its workmen and the farmers nearly \$150,000 a year for labor and material used, all produced in Alameda County. They have turned out each campaign one and a half millions of pounds of pure white sugar; no low grades or yellow sugars are put on the market by them.

The climate and soil of the Pacific Coast are peculiarly adapted to the successful production of the sugar beet. They can be raised as cheaply and are of as good quality as those produced in any country. The success of this company has fully proved that it only requires a knowledge of the business and capital to produce, on the Pacific Coast, most of the sugar required for consumption in the United States, and at a cost not exceeding that paid for refining grades imported from foreign countries, and indicates the way to save millions of dollars to distribute among our people and laboring classes.

UNION PACIFIC SALT COMPANY.—This, the most extensive salt-making concern



J. W. Jamison

in the State, was incorporated March 25, 1868, and have their works situated at the mouth of the Alameda Creek. After incorporation the company purchased Rock Island, containing about one thousand acres, and situated in Washington Township. Work was commenced in 1870, and business has increased to such an extent that employment is given to over one hundred men. During the last ten years more than seventy thousand tons of salt have been manufactured here, while there is a capital of one hundred thousand dollars invested in the enterprise. The works of the Union Pacific Company may be selected as a type, and the description will apply, in the main, to all the others.

The swamp or overflowed lands on the margin of the bay are so nearly level that the waters will generally follow any channel, natural or artificial, and may be conveyed from point to point in a slow current, by making the bottom of each basin a few inches lower than the preceding one. It sometimes becomes necessary to elevate the water when there is not sufficient head. This is done by a windmill of peculiar construction. The power is communicated by gearing to a paddle-wheel running in a channel, into which the water flows from the lower level. By the revolutions of the paddle-wheel the water is forced up an inclined plane to an elevation of a foot or so, which is all that is required. These mills are small copies of the great windmills used in Holland to drain lands reclaimed from the sea. They are provided with an iron strap and lever, by which the mill may be stopped when not required.

The first step in opening new salt-works is to throw up dykes or levees, partitioning off the available ground into basins of greater or less magnitude. Were it not for these dykes, the land would become wholly overflowed at the high tides on each month, but only partly so at other times. The outer basin, lying along the shore of the bay, is called the receiving-reservoir, and is large enough to contain salt water sufficient to keep the inner basins supplied from tide to tide. It is furnished with wooden gates turning on pivots, which are opened by depressing a lever. The gates open inwards. When open they allow of the free ingress of water, but when closed, resist the overflow; and the greater the pressure the more tightly they shut, being set on an angle toward the pressure. In the channel leading to the flood-gates from the outside, there is a fence of pickets, to prevent any floating *débris* from passing in through the gate.

The Union Pacific Company has fifteen flood-gates, each twelve feet wide. In the receiving-reservoir, all the mud and mechanical impurity settles. During the spring tides men are stationed at the gates, whose duty it is to open them when the tide flows, and to shut them at the commencement of the ebb. It sometimes requires only two nights to fill the receiving-reservoir; but at others, five or six. As the gates must shut perfectly tight to retain the water, considerable attention and care are required to effect this, as crabs and small floating refuse get in, when it becomes necessary to shovel in earth until a perfect joint is made. From the receiving-reservoir the water is conducted as required into secondary tanks, to the extent of one million gallons daily, where it is allowed to remain until it becomes partly concentrated by evaporation, during which it lets the sulphate of lime fall as a precipitate, which collects in large quantities, and although now considered worthless, it will, in the future, be sought as a fertilizer. From the secondary basins, the water, freed in

part from impurity, is conducted in another set, where it becomes still more concentrated by evaporation to brine, having a specific gravity of 1.2082, or twenty-five degrees Beaume, which is a saturated solution. It is then conveyed into vats and crystallizing basins, or "making-ponds," as they are called. After remaining for the required time, nearly all the salt crystallizes out, and the mother liquor, holding in solution magnesia, salts, and other impurities, and technically called "bitterns," is drawn off, and generally allowed to go to waste; a small quantity only being used in the manufacture of carbonate of magnesia.

The crystallizing vats, basins, or pans are generally about an acre in extent. At the new works of the Union Pacific Company six ponds measure eight acres. The salt taken from one of these basins contained two hundred tons, and measured at the base of the pile thirty by forty feet, and was sixteen feet high. These basins are filled but once for each crystallization. Most of the crystallizing ponds have mud bottoms and sides. The salt, of course, is somewhat inferior, or at least less clean than that from others which are floored with planed boards. It is claimed that the low price of salt will not pay for the additional capital required to build the tanks and reservoirs of cement on the cheaper *b'ou*; but we are convinced that such works will in time replace the mud-bottomed basins of the present.

When the mother liquors are drawn off the salt is carefully shoveled into small piles, like hay-cocks in a field, by a gang of sixteen men. It is then wheeled in barrows to the large piles, where it stands through at least one rainy season, during which the deliquescent salts of magnesia, and the coloring matter imparted probably by organic matter leach out, and the salt becomes ready for the market. When the salt crop has been gathered from one of these basins, a set of men wearing wide boards on their feet, like snow-shoes, walk over the surface, and with shovels flatten and otherwise smooth the surface of the rather soft mud, preparatory to refilling with brine.

For the manufacture of salt for table use the Union Pacific Company have a set of elevated pans of wood, into which the cleanest brine is pumped by windmills. There is no contamination, and the salt from these crystallizers is pure as salt can be made in a large way. Salt is ground at these works in a mill of a peculiar construction. It consists of a corrugated roller of granite, which makes seven hundred revolutions per minute; it is driven by a portable steam-engine. The salt passes between the roller and a block of burr millstone.

The trade of the Union Pacific Company has extended from Arizona to British Columbia. The President of the company is John Barton.

CENTREVILLE.—It is entirely problematical how this village received its name. It may have been that it was so called because it was midway between Alvarado and Mission San José, but be that as it may, Centreville it remains and centrally situated it is between the bay and the hills, the two lines of railroad, and is near to the geographical center of the township. The first settlers in Centreville were two individuals named George A. Lloyd and Frank Pepper, who had a blue tent pitched on the spot now occupied by the Widow Lowrie, but they were mere birds of passage. The first actual steps towards the formation of a town was the opening by Captain Bond

of a store in the year 1852, where he offered for sale the curious combination of whisky, boots, and codfish. The building was a little "ten by twelve" cabin, and stood where Captain Bond's house now is. Prior to the year 1850, however, John M. Horner had built a Mormon chapel, which occupied the site of the United States Hotel, conducted by Mrs. Lewis. Here Mr. Horner himself was wont to preach, and within its walls was opened a school at a very early date, taught by a man named Kempster, while it was subsequently used by Rev. W. W. Brier as a chapel. In 1854 William Morgan opened a hotel on the present site of the Gregory House, while in the following year William Barry and a man named Wilson opened a store in the village.

Since that date the town has grown up slowly, while to-day it is the most busy looking of all the interior towns save Livermore. It possesses several fine stores, two good hotels, the Gregory House, and United States Hotel, two churches, and several trades. Although not on the line of any railroad, Centreville is in communication with the Central Pacific at Niles, only three miles distant, while there is a horse-car running to Newark that connects with the South Pacific Coast Railroad.

Centreville was never laid out as a town, but lots measuring fifty feet frontage and four hundred feet depth were offered to the highest bidder, and thus uprose the little village.

THE CENTREVILLE AND ALVARADO PRESBYTERIAN CHURCHES.—In the summer of 1852, Rev. W. W. Brier moved to the Mission of San José. His health had been broken by over-work for eighteen months, while he planted the church of Marysville.

His generous friend, E. L. Beard, hearing of this, invited him to the most attractive spot then in the State, fitted up a school-room in the old adobe buildings and secured for him seven pupils.

Mr. Brier, with his wife and child, lived in the Mission a few months, he taught the first public school for which funds were drawn in the bounds of Santa Clara County. Alameda County, as yet, had no existence. At the same time he preached to small congregations in his school-room each Sabbath. In the beginning of 1853 the Pacheco Ranch was sold, and he bought his place near where Centreville now stands, and began to hold services in a building called "Horner's School House." This John M. Horner had built and in it preached his Mormon faith to thirty or forty people on Sunday afternoons, while Mr. Brier had twelve to fifteen hearers in the morning. Mr. Horner was wealthy and liberal, and invited Mr. Brier to occupy the house when he did not use it. In June of 1853 the interest in church services had so increased that, on request, the following persons were organized into a Presbyterian church, viz.: Charles Hilton, Elizabeth A. Brier, Hannah Breyfogle, Chancey Cornell, Charlotte Cornell, Chas. Kelsey, Mary C. Kelsey, Eliza Beard, and Dr. J. M. Selfridge. This church was called the Alameda Presbyterian Church, after the name of the creek. There was as yet no Centreville; even Oakland was less populous and of less importance than Washington Township.

Charles Hilton was chosen and ordained Elder. After more than a year of preaching, while he gathered this and another small church in the Mount Eden settle-

ment, Mr. Brier was invited to take charge of the two churches at a salary of \$1,800.

On Feb. 24, 1855, J. A. Mayhew, Jesse Beard, Chas. Kelsey, Henry Clark, and Chancey Cornell were elected Trustees, and vigorous measures were taken to build a house of worship; the preacher acting as solicitor of funds and superintendent of work. The effort was successful. On January 27, 1856, the brick church twenty-four by forty-four was dedicated, cost \$3,300.

The lot two and one-half acres was donated by George Lloyd. On the day of dedication Mr. Brier was installed as joint pastor of the Centreville and Eden Presbyterian churches. Rev. Sam. B. Bell preached the sermon and gave the charge to the pastor and Rev. T. Dwight Hunt gave the charge to the people. It was a day of joy in the new community. The church grew rapidly in numbers and influence. A. A. Saunders and Dr. Selfridge were added as Elders. The church frequently permitted its pastor to go out and do missionary work which resulted in planting the churches in East Oakland and Alameda, also in other and more distant places. In 1860 there had been gathered into the Centreville church fifty members. At this time the church at Alvarado was organized, chiefly from members of the Centreville church. The Pastor gradually transferred his labors from Eden to Alvarado. Mr. and Mrs. Cornell were efficient helpers. The house of worship was erected chiefly by their influence. The Eden church was scattered by the change of population, the church building was taken for a school house, and finally sold without authority of the church.

In the fall of 1860 Mr. Brier resigned his pastoral charge to enter upon the work of "church extension" on the Pacific Coast. At this time Rev. B. N. Seymour was invited to become stated supply of the Centreville and Alvarado churches, which have always been united under the same minister. Mr. Seymour continued until the fall of 1865. This was a period of gloom to the nation and the church.

Rev. James Pierpont was the minister during 1866. In the beginning of 1867 Rev. W. F. B. Lynch was invited to take charge of the churches, and continued for two years. On October 21, 1868, the great earthquake so injured the brick walls of the Centreville church that it was closed for a year, and the congregation soon shipped in the Methodist church. In the fall of 1869 the brick walls were removed, and wood substituted. After Mr. Lynch closed his labors as pastor, there was a period of nearly two years when sermons were read by Mr. Shinn or temporary supplies were secured. Among these Rev. James Alexander labored for a time.

In November, 1871, C. Park, a licentiate was engaged for one year. He continued to preach until August, 1873.

Rev. Wm. Alexander, D. D., a professor in the San Francisco Theological Seminary was engaged as temporary supply, and August 1, 1874, was called to be pastor of the Centreville and Alvarado churches. Under his ministry the Centreville church, which had decreased in membership ever since 1860, was increased by many additions, especially from the children of the church and those who had grown up in the Sabbath-school. He continued as pastor until April, 1878. In the fall of this year Rev. W. A. Tenney was engaged as stated supply of the churches, and continued for two years. Charles D. Merrill, a student in the San Francisco Theological Seminary, acted as temporary supply from October, 1880, and was engaged as stated supply for one year

from May 1, 1881. At the end of this time he received a call to become pastor of the two churches, and was ordained and installed by the Presbytery of San José May 28, 1882. F. H. Hilton has served as a faithful Elder of the Centreville church since 1874. Under Mr. Merrill's pastoral charge both churches have increased in members, and both houses of worship have been renovated and improved at an expense of several hundred dollars. Both churches are out of debt, and are in a harmonious and prosperous condition. Andrew Kerr is the Elder of the Alvarado church.

ALAMEDA LODGE, NO. 167, F. AND A. M.—This lodge was organized on September 9, 1863, the charter being granted, October 13, 1864, to the following members: James Beazell, Perry Morrison, S. I. Marston, T. Scott, H. G. Ellsworth, G. M. Kutz, A. J. McDavid. The following were the first officers: James Beazell, W. M.; Perry Morrison, S. W.; S. I. Marston, J. W.; Thomas Scott, Treas.; H. G. Ellsworth, Sec.; G. M. Kutz, S. D.; A. J. McDavid, J. D. The present membership is fifty, while the officers for the current term are: A. J. Hare, W. M.; Edward Niehaus, S. W.; John Lowrie, J. W.; M. B. Sturges, Treas.; William Mortimer, Sec., G. W. Willis, S. D.; William Barry, J. D.; G. M. Smith, William Wilton, Stewards; G. W. Bond, Marshal; J. A. Trefry, Tyler. The lodge, which is in a flourishing condition, own their building, two stories in height, and occupying a space of sixty by forty feet, being divided into an entertainment hall on the ground floor, and a fine lodge-room upstairs. Meets on the first Saturday on or before full moon, of each month.

CENTREVILLE COUNCIL, NO. 34, I. O. C. F.—Was organized December 15, 1881, with sixty-five charter members, the following being the first officers: H. C. Gregory, C. C.; S. Sandholdt, V. C.; S. A. Buteau, P. C. C.; W. A. Yates, Sec.; S. Saltz, Treas.; W. H. Tyson, Prelate; G. W. Willis, Marshal; J. A. Trefry, Warden; I. J. Tifoche, Guard; F. N. Silva, Sentry; S. A. Buteau, Med. Examiner. The lodge which meets every Thursday evening in Tifoche Hall, has a membership of ninety-two on the roll, and the officers now serving are: Robert D. Smith, C. C.; A. Blacow, V. C.; W. A. Yates, Sec.; S. Sandholdt, Fin.; M. F. Silva, Treas.; S. Morrison, Warden; I. J. Tifoche, Prelate; George Juhler, Guard; F. Rose, Sentry; S. A. Buteau, Med. Examiner.

PIONEER ASSOCIATION OF WASHINGTON, MURRAY, AND EDEN TOWNSHIPS.—The organization of this association was first suggested by William Barry and W. Morris Liston. In the *Independent* of November 11, 1876, was published a notice by them, with two or three other gentlemen, calling a meeting of the pioneers of the township. The meeting was held on Thanksgiving Day, November 30th, at Centreville, the following persons being present: C. Kelsey, John Riser, J. A. Trefry, E. Ross, E. Munyan, E. Niehaus, C. C. Scott, W. H. Cockefair, D. C. Bane, G. W. Bond, and William Barry. Messrs. Riser and Kelsey were appointed a committee to prepare the constitution and rules of a permanent society. December 9th a meeting was held, at which the committee's report was received and adopted; but the organization was not completed until December 23d. The first officers elected were: George W. Bond, Pres.; C. C. Scott, First Vice-Pres.; W. M. Liston, Second Vice-Pres.; L. E. Osgood, Treas.; William Barry, Sec. The regular meetings of the

society are upon the second Saturday of April, August, and December. All residents of Washington Township who were in California before March 26, 1853, also the sons of pioneers over twenty-one years of age, were made eligible to membership. The organization was afterward extended to the adjoining townships of Eden and Murray. The object of the organization is declared to be to "collect and preserve information concerning the settlement of the township," and "advance the interests and perpetuate the memory" of its pioneers. It cares for the sick, and has a ritual for the burial of the dead. But the more practical object is to form a social rallying-point for the renewal and continuance of old friendships. The present officers are: J. T. Walker, Pres.; L. E. Osgood, Treas.; William Barry, Sec.

THE WASHINGTON AND MURRAY TOWNSHIP WATER COMPANY.—In the spring of 1871 it was reported that a corps of surveyors were in Suñol Valley, laying off lands for a reservoir, to be built for the purpose of taking the water of the Alameda Creek to San Francisco. A public meeting was called at Centreville, to adopt measures to oppose what it was believed would ruin the San José Valley, if prosecuted. This meeting was largely attended and enthusiastic. Resolutions were passed that the citizens should resist all attempts to divert the water of the creek, which gives fertility to the land, by feeding the gravel-beds below the surface.

A committee was appointed to take legal advice, and report at a stated time. This committee went to Judge Crane, now of Washington, and he gave an opinion, that the cheapest way to keep the creek was to get up a company, and use the water for all these purposes—irrigation, family use, and machinery. He advised that the owners of lands on the creek should deed their rights in the water, also the right of way to the company, so that no other company could condemn the creek. This wise advice was reported to the adjourned meeting, which elected the following persons to organize themselves into a company, and serve as Trustees, viz.: W. W. Brier, Wm. Whidden, John Whipple, John L. Stevens, John L. Beard, Howard Overacker, E. H. Dyer, Samuel I. Marston, and B. D. T. Clough.

On May 17, 1871, these persons met and agreed on articles of incorporation, and the company was formed according to law. Mr. Clough was elected President, and W. W. Brier, Secretary; both have held these offices ever since.

Within five days the company was fully organized, and Mr. Whidden was appointed to secure the signatures of land-owners on the creek to a deed to the water and the right of way for ditches. This measure checkmated the company above, and that fact cooled the ardor for irrigation among the farmers.

Two years were spent in talk, and discussing plans, with a little surveying. In the fall of 1873 the Calaveras Company proposed a compromise with the Washington and Murray Company, which was adopted; the former to furnish money and defend the latter in law provided they granted them the right to make a reservoir at the lower end of Calaveras Valley.

A lawsuit, in which the claims of the Washington and Murray Company were established, and some compromises made, placed an open door for success.

In the spring of 1874 work was commenced. A dam and reservoir were bought from Messrs. Peet & Scott. The south branch of the Alameda Creek was adopted

as a ditch from which a canal, thirty feet wide and four feet deep, was dug for one-half mile to Mr. Clough's farm. Here is a branch ditch, twelve feet wide, designed to supply several farms. From this point to Mr. Kelsey's farm, one and one-half miles, the main canal is twenty feet wide. From Kelsey's the design is to make a ditch twenty feet wide through the center of the valley, with branches from Mr. Kelsey's house. The main ditch is only sixteen feet wide, and continues its course toward Alvarado for four miles, passing through a large number of the best farms in Alameda County. There is also a small ditch, six feet wide, extending to Newark, a distance of four miles. The company has ten miles of ditch, two substantial dams, which cost \$2,000. It has expended over \$11,000.

DECOTO.—This is a small town on the line of the railroad, and takes its name from Ezra Decoto, who originally owned the land in the vicinity, and who still resides upon it. In 1867 he sold two hundred and eighty-four acres of it to the Railroad Company; and on the Decoto Land Company being subsequently formed, the site of a town was surveyed, and in 1870 no fewer than twenty-seven thousand evergreen trees were planted to adorn the future city, but though the trees have thriven the civic honors have not yet blossomed.

The first houses in what may be called the town of Decoto were built by the brothers of that name, in 1867, and in the following year, mainly through the exertions of Ezra Decoto and F. W. Meyer, a school district was formed, and the school placed in charge of a Mr. Jones. There is a fair hotel in the village, built in 1874, by Mrs. McKenney, but it is chiefly noticeable for the extensive warehouses of A. J. Hare, a man of energy and enterprise.

MISSION SAN JOSE.—What a quaint old town is the place known as Mission San José, embodying, as it does, the history of a by-gone age, and the result of American occupation. It is the only place in the county where still remains the adobe buildings and red-tiled roofs of the Spanish settlements, which lend a peculiarly ancient color when contrasted with the more stylish frame buildings of the present period.

Enough still remains to show the visitor how the Indian converts of the Missions were housed, but unhappily the old church fell a victim to the never-to-be-forgotten earthquake of October 21, 1868; on its crumbled walls has arisen a new edifice, which has a strange and solitary aspect as it stands alongside of the ruined adobe apartments that were once the pride of the place. Of the better class of dwellings we have an example in the large square verandahed building erst awhile occupied by Don J. J. de Vallejo, and which is in a good state of preservation.

Of the men who first settled here from among the early American pioneers none were more prominently identified with the interest that centered at the Mission than E. L. Beard. One of the many evidences of his enterprising career is to be found in the extensive grounds surrounding the residence now in the possession of Mr. Gallegos. Here the capabilities of the climate and soil of the Mission are shown to their best advantage in the growth of trees, shrubs, flowers, and fruits, and, generally, the production of semi-tropical countries. Mr. Beard lived originally in the Mission

proper, but in 1865 built the residence just mentioned, and laid out the beautiful grounds which have since been so much improved by Mr. Gallegos.

The Mission buildings remained in their pristine state for a considerable period after the American occupation of California. In 1853 there was but one frame house in the village, and it still stands to the south of the store of Erhman & Lebrecht. The pioneer settlers of the country nearly all first found their way to the Mission, and thence started out in their quest for land on which to locate. In 1849 the earliest store was opened by Mr. Beard; here the first grist-mill was started; and here and in its vicinity were agriculture, horticulture, and viniculture first practiced. Towards the end of 1849, or early in 1850, W. H. Chamberlain opened his store, the same that has since successively passed through the hands of J. W. Chamberlain, Musser & McClure, Erhman & Bachman, until it became the establishment of its present proprietors.

In 1857 the "Red House" was built near where now is the house of José Columbet, it being at one time conducted by James Threlfall, while it was here that nearly all things had a start.

The Fathers were sagacious in selecting healthful and convenient locations for their missions. No town on the Contra Costa can boast a better climate. Air and water are here as healthful and pure as nature can make them, and the scenery is varied and delightful. With the air of age and romance about it, and having every essential of a desirable place of residence, Mission San José has been and still continues the home of people of wealth and refinement.

Before the period of railroads in California, Mission San José was one of the liveliest trading and business points in Alameda County, especially during the early mining excitement, when much of the travel between the coast and the mines went through the Stockton Pass, which is entered at this point. It still continues, in a degree, much of its business, although its manufacturing industry has diminished considerably; it will, however, still remain as the central point of historic interest in the district of the Contra Costa.

NEWARK.—This town is situated about twenty-eight miles from San Francisco on the line of the South Pacific Coast Railroad and has all the advantage of shipment of a place one-quarter the distance from the great metropolis. The soil in its vicinity is fertile and productive, being a light, rich black loam.

Early in the spring of 1876, a large tract of land in the vicinity of Dumbarton Point was purchased by A. E. Davis, as representative of the Pacific Land Investment Company, whose interest was identical with that of the South Pacific Coast Railroad Company. The tract consisted of about four thousand five hundred acres, and was made up of smaller tracts bought from several different parties, its cost being near three hundred thousand dollars. The largest single purchase was sixteen hundred acres from the Green Point Dairy Company, for which one hundred and forty-five thousand dollars was paid. Previous to this transaction other parties had been engaged in land speculation in the same locality, but the first considerable improvements were made by the Railroad Company. Upon the dairy ranch were buildings to accommodate an extensive manufacture of butter and cheese, and several hundred cows found rich pasturage which never failed upon the lowlands. The ranch was

placed under the management of S. Davis, and thirty tons of cheese and a large quantity of butter were made and disposed of within the six or seven months following the purchase. In the fall of the same year the cows were sold and the dairy business closed.

Meanwhile the Railroad Company was pushing on the line. Immediately upon the purchase of the land the operations of driving piles and raising the grade upon the marsh-lands, was commenced and the enterprise was carried on so rapidly that in a few weeks the track was laid and construction trains were running a distance of several miles from Dumbarton Point towards San José. At the Point was a spacious wharf, over a portion of which was a shed fifty by one hundred and fifty feet. Here was kept the rolling stock when not in use. Here were received the ties, and rails and other material for the construction of the road.

In the spring of 1877, a franchise was obtained for a railroad from Alameda to Newark, and its construction was promptly undertaken. At about the same time the company built its round-house and sheds and established the town of Newark in fact, as it had before been upon the surveyor's plat. The location was three and a half miles from Dumbarton Point, with the marsh-land and the bay in front, while cultivated fields stretched backward towards the hills. On June 1, 1878, the cars began to run regularly between Alameda and Los Gatos, Santa Clara County, connecting with the ferry between Alameda Point and San Francisco.

With this start several business houses of different characters, and two hotels were opened, since when its progress has been steady. Notable among the industries of the town is the establishment of Carter Brothers, where all varieties of cars are manufactured in such a manner as will bear favorable competition with Eastern work. It has a neat Catholic Church and a school house both of which were dedicated in 1880.

NEWARK LODGE, No. 169, A. O. U. W.—This lodge was organized April 7, 1880, with fourteen charter members and the following officers: W. H. Haley, W. M.; E. C. Bragdon, F.; W. H. Nesmith, O.; J. W. Shafford, Recdr.; J. A. Plummer, Jr., F.; W. B. Depew, O. W.; W. M. Jaycox, G.; C. B. Mills, I. W.; George Lowrie, O. W. Lodge meets every Monday evening in the school building and has thirty-four members on the roll. The present officers are: W. H. Nesmith, P. M.; R. F. Ingraham, M.; I. H. Chipman, F.; W. B. Depew, G.; David G. Butler, Recdr.; J. A. Plummer, Jr., Fin.; C. G. Healey, Recvr.; T. Bedard, I. W.; W. H. Haley, O. W.; W. N. Haley, T. Bedard, Trustees; Drs. Allen and Hall, Medical Examiners.

CRYSTAL SALT WORKS.—During January 1864 J. A. Plummer purchased the property now known as the "Crystal Salt Works" and now adjacent to the young town of Newark in Washington Township. This property consisted of a large pond and salt marsh in its natural condition, the improvement of which was immediately commenced by Mr. Plummer, who built vats, erected windmills and pumps, subdividing the pond into compartments for holding the salt water in its different degrees of strength (the partitions for subdividing, are of pine boards, and driven into the bottom of the pond edge to edge, thereby making the compartments water tight) the

weakest water would be that just received into the main pond from the bay of San Francisco, to brine of one hundred and five degrees, at which stage it commences to crystallize in ponds and vats especially adapted for that purpose; after a certain period of crystallization has passed, the salt is now ready to be taken up, and carried ashore to put into the houses, or piled outside when the houses are full. A tramway is laid to the landing on the slough leading into the bay, where vessels come and receive the salt (which is brought down on cars) and taken to San Francisco. The wind-mills and pumps are at work all the time, lifting water and transferring it from one pond to other ponds, by means of flumes and ditches. A milling and drying house was built for manufacturing salt for the family, dairy, and meat-packing trade. There are large pans, under which fires are kept burning to dry the salt placed thereon; when dry it is ground for family or dairy purposes. A fifteen horse-power engine drives the mill; these works produce from fifteen hundred to two thousand tons per year. In 1869 Mr. Plummer and his sons, John A. Plummer, Jr., and Charles A. Plummer, leased a large pond near the town of Alvarado for the purpose of manufacturing salt. They afterwards, in 1871, bought this property. Since then extensive improvements have been made, rendering it capable of producing three thousand tons per year. When the improvements contemplated are made five thousand tons will be the yearly production. In January, 1881, J. A. Plummer, Jr., and C. A. Plummer succeeded J. A. Plummer in this business. The salt produced at these salt-works is of a superior quality, and better than any foreign salt imported into this country. Analysis has been made by eminent chemists and the result each time was the same, 99.62 per cent. chloride of sodium. This grade of salt is largely used by meat-packers, who prefer it to any other.

NEWARK COURSING GROUNDS.—These grounds are located about one hundred yards from the depot of the South Pacific Coast Railroad at Newark, and were opened in the fall of 1882 by John Dugan. They contain about one hundred acres in two fields, one of these being a breeding-field for hares, and the other for coursing, both being properly fenced.

NILES.—This village is distinguished as the junction of the San José branch of the Central Pacific Railroad with that from Stockton and Livermore.

At this point in 1853, Don J. J. de Vallejo, at great expense, constructed a flouring-mill, the water for which he conducted in a long flume from the Alameda Creek. This was the first mill built after that at the Mission, and in the early history of the county was famous and widely known. Niles has not much to boast of in regard to population, but its location at the mouth of Alameda Cañon, and consequently capable of being well supplied with water, being the junction of two lines of railroad, and being ensconced in the cosiest manner in the hills, would justify the belief that it will some day become a town of considerable size and importance.

WARM SPRINGS.—The post-office in this district is known as Harrisburg, George W. Peacock being the postmaster. About a mile and a half from Peacock's, in a northwesterly direction, is Warm Springs, which was at one time a place of fashionable resort. The water of the springs is tepid and much impregnated with

minerals and is reported to possess highly curative properties in some diseases. Numerous evidences of a long-continued occupation of these springs by the Indians leads to the conclusion that their medicinal qualities were known to the natives and by them made available, while the early Spanish settlers gave to them the name of Agua Caliente (Warm Springs). They were first brought into notoriety by Clemente Columbet, who in 1869 sold them to A. A. Cohen, of Alameda, and not long afterward they were purchased by Governor Stanford. Warm Springs is the most southern station on the line of the Central Pacific Railroad in Alameda County.

WASHINGTON CORNERS.—This place is situated about twenty-seven miles from San Francisco on the San José branch of the Central Pacific Railroad, and was originally known as "The Corners," so called from the fact of there being cross-roads at the point on the corner of one of which a saloon was opened by a negro who had come to the State with Mr. Beard. In the vicinity of this place was the first effort at agriculture made by John M. Horner, and around him did the earliest foreign settlers congregate. Here too were manufacturing and mechanical interests started at an early day, notably that of Timothy Rix, who settled in 1850, and who afterward became the first postmaster of the place.

The town is but small, yet boasts a well-edited newspaper, the *Independent*, and several good stores, while in the vicinity are many fine residences. One of the most serious fires that ever occurred in the county, took place on September 3, 1880, when the warehouse was burned, causing damage to the extent of about one hundred thousand dollars.

WASHINGTON COLLEGE.—In July, 1871, measures were taken by W. F. B. Lynch and Albert Lyser to secure the site for a school to be called the "Washington College of Science and Industry," it being the desire of these gentlemen to found a school wherein should be incorporated the main features of the Polytechnic Schools of Europe and some of the Eastern States. With characteristic generosity E. L. Beard took a lively interest in the scheme and donated the beautiful site of the college on which was erected a handsome building that cost about thirty thousand dollars. The first Board of Trustees under the charter were: E. L. Beard, W. F. B. Lynch, H. Curtner, William Y. Horner, S. I. Marston, H. Crowell, Origin Mowry, and M. W. Dixon. The college was opened July 31, 1872, under the superintendence of Rev. and Mrs. S. S. Harmon, but unhappily it has this year been determined to close it for want of patronage.

BIOGRAPHICAL SKETCHES.

HERBERT LESTER ADAMS, LL.B.—The subject of this memoir, whose portrait will be found in the following pages, was born in Buffalo, Erie County, New York, March 24, 1855, of American parents and ancestry. His father, D. L. Adams, was engaged in the then thriving industry of ship-building on the great lakes, he being foreman for the large firm of F. N. Jones & Co., who had yards and dry-docks at Buffalo. The boyhood of our subject was passed amid the busy scenes of the ship-building yard. In his youth he became conversant with the architectural designs of these leviathans; keel-blocks and ways were his elementary training, while rapture and astonishment beamed in his face as he saw the mighty ribs of oak bend to their places. Receiving a good ordinary scholastic training, after two years of study he graduated, and prepared to do battle with the world. In 1869 he was employed as salesman in a wholesale produce store in Buffalo, and from that city, in the year 1870, following the advice of the great editor, he "went west" with his family to Palmyra, Otoe County, Nebraska, a town then consisting of but two houses and a store, and located on a piece of government land, the nearest market being the town of Lincoln, the State capital, and now developed into a thriving and populous city. Lumber being a luxury almost unknown in Nebraska at that time the family constructed for a dwelling what is known as a "dug-out," consisting of a square excavation hollowed in the hillside, and roofed by leaning branches of trees against a center ridge-pole, the roof being afterwards covered with earth two feet in thickness. After a year's residence there Mr. Adams and his family came to California, arriving at Franklin, Sacramento County, in March, 1871. Being here met by his uncle, Hon. Amos Adams, ex-Assemblyman and Secretary of the State Grange of California, who owned a large dairy farm in the Sacramento Valley, our subject passed a year with him, engaging in agricultural pursuits, but the memorable drouth of that season having destroyed most of the stock, and rendering farming unprofitable, in 1872 he returned to Buffalo with his family, and once more embarked in his former occupation as salesman, and traveled for a wholesale produce store. And now came the famous "Black Friday," when thousands of business enterprises went into insolvency. Mr. Adams therefore again turned westward. Proceeding to De Witt, Carroll County, Missouri, where he visited his sister and friends, he continued his wanderings until he once more brought up in Palmyra, Nebraska. Here he passed the summer of 1874, and saw the first great grasshopper invasion that did so great damage to the growing crops. Thence he made a flying trip through Kansas, after which, returning eastward, he obtained employment in New York from the New York Central and Hudson River Railroad Company as a car-builder and repairer. Here, by his industry and attention to work, he was placed in charge of a gang of men, but the snow and ice, and the searching winds from the Atlantic made him long for the sunny slopes of the Pacific Ocean. He then, for the second time, made the journey to California, and arrived in Stockton, San Joaquin County, in June, 1875. After a month's work with the Stockton and Ione Narrow-gauge Railroad, the company failed. Mr. Adams, therefore, found himself once more free, he thereupon again betook himself to a farm life, and subsequently came to Oakland, Alameda County, where he obtained employment as a hostler in the Plaza Stable of Downing & Forrester, on Fourth Street. He soon after met in San Francisco, A. P. Needles, Esq., with whom he at once took desk room and entered upon the study of the law, to such good purpose that in September, 1877, he was admitted to practice in the County Court of Alameda by

Hon. S. G. Nye, on motion of Hon. M. P. Wiggin. In March, 1880, he was admitted to practice in the Superior Court by Hon. W. E. Greene. In the mean time Mr. Adams had become a student in the Hastings Law College of the University of California, from which he graduated May 29, 1882, and received the degree of LL.B.—*Legum Baccalaureus* (Bachelor of Laws). May 31, 1882, he was admitted to the Supreme Court of California, on motion of Hon. J. Norton Pomeroy, LL.D., and is now in the enjoyment of a large and successful practice. Mr. Adams is an energetic worker in secret societies, belonging to the Odd Fellows, Ancient Order of United Workmen, and Independent Order of Chosen Friends. He was also one of the organizers and is now President of the Board of Directors of the Golden Gate Congregational Church of Oakland. He married, in Oakland, December 12, 1877, Miss Ella N. Crist, of Lodi, San Joaquin County, California, a native of Indiana.

MARK AGER.—Was born in Jefferson County, New York, June 7, 1842, and there resided until the breaking out of the Rebellion, when he answered his country's call, and enlisted, April 19, 1861, in Company F, Thirty-fifth New York Regiment, from which, after two years' service, he was discharged and re-enlisted in Company F, Twentieth New York Regiment, serving in this corps until the close of the war. In 1865 he came to California, located at Folsom, Sacramento County, and was in charge of the post-office there until 1869, when he moved to Pleasanton, and was the first agent of the Western Pacific Railroad Company there. Resigning this position in 1871, he moved to Suñol and opened the present railroad office there. In the following year he commenced operations in his present store, and in 1874 erected the first warehouse in that place, constructing another like edifice in 1875. Married, September 24, 1866, Miss Sarah E. Sanborn, and has two sons, Archie and Fred.

JAMES M. ALLEN.—Was born in Cole County, Missouri, November 13, 1828, and is the son of David and Elizabeth (Storey) Allen. When but two years of age he was taken by his parents to Cooper County, where they resided five years; after which they transferred their habitation to Jackson County, not far from Independence, where our subject first attended school. His father and mother now moved to the adjoining county and took up their residence on a farm, where they remained until 1846, when the family determining to emigrate, joined the party captained by Hon. Elam Brown of Contra Costa County, and with it came to California. His father was taken sick at Fort Bridger on the route, and was left behind; and his mother died and was buried at the Sink of the Humboldt. Mr. Allen and his party entered California at Johnson's Ranch, October 10, 1846, where they found the proprietor to be a rough sailor, dwelling in a dirty little hut, and surrounded by naked Indians—a fact which caused some confusion among the ladies of the train. Continuing their journey they camped on the spot where Sacramento, the capital of the State, now stands. About a mile and a half up the American River, at New Helvetia, stood the hospitable inclosure of Sutter's Fort, where beef, flour, and other commodities were procured, the fresh meat and bread being highly appreciated, for they had been long desired. Here it had to be decided whither the party should permanently locate, the places receiving the greatest favor being the Santa Clara Valley, Napa, and Sonoma. Mr. Allen with his brothers and sisters elected for Santa Clara, to which place they at once set out in company with Elam Brown and his family. On arrival at the San Joaquin it was found necessary to swim the entire train across its turbulent waters. The journey was now continued to the rancho of Robert Livermore, and here, in October, 1846, Mr. Allen camped on the site of the prosperous town which bears the patronymic of the English pioneer. Following through the Suñol Valley, and passing the Mission of San José, they emerged on to the Santa Clara Valley, went through the Pueblo de San José and three miles further came to a halt at the Santa Clara Mission, where they located. Mr. Allen now enlisted in the military company raised by Capt. Charles M. Weber, the services of which are detailed in our chapter on the Military Occupation of the northern portion of Upper California, and with it took part in all the stir-

ring incidents of that campaign. In the year 1847 he met his father, whom he had not seen since leaving him at Fort Bridger, and subsequently, with his brother-in-law, William M. Mendenhall, took up his residence on a ranch about six miles from Santa Clara, which Mr. Allen, Senior, had purchased. Here our subject resided until the discovery of gold. As soon as this startling intelligence was announced, Mr. Allen immediately proceeded to the American River, and engaged in mining for a month, at the end of which time he returned to the ranch, he there with Mr. Mendenhall made a gold-rocker—the first seen in the State—and returned to the mines. Taking with him pack-mules he commenced selling goods in partnership with Warren Brown throughout the diggings, and remained there until the fall of 1848, when he returned to the farm in Santa Clara Valley. His father, who had remarried in Oregon and made his home there, now sent for our subject and his younger brother and sister to join him. After a rough and tedious voyage of forty-one days, fourteen of which were passed on the bar at the mouth of the Columbia River on account of water being frozen to a depth of eight inches, and the voyage up the river made in a canoe, they arrived in Portland, when they proceeded to Salem. Mr. Allen's stay in Oregon was short. At the end of four months he returned to California and embarked in a mule-freighting business between Sacramento and the mines. During the winter of 1849-50 he bought cattle and wintered them at Cache Creek. In the year 1849 he and Jones Spect laid out the town of Fremont at the confluence of Feather and Sacramento Rivers. In 1850 he was appointed Sheriff of Yolo County by Governor Burnett, in which office he served two years. At this period, owing to the depreciation of property in Fremont, he lost a considerable sum of money, he consequently returned to Santa Clara, while his brother-in-law, William M. Mendenhall, went into the stock business there. In the spring of 1853 these gentlemen moved into Contra Costa County, but in that fall Mr. Allen proceeded to Carson Valley to meet the immigration for the purpose of buying horses, establishing his headquarters on Clear Creek, twelve miles below Mormon Station; but remaining here only a few weeks he went to Rag Town and there encountered Martin Mendenhall with his father and family. At this time Mr. Allen first met Miss Sidesia Mendenhall, the lady he afterwards made his wife. With Mr. Mendenhall our subject returned to Contra Costa County and purchased the farm in San Ramon Valley now owned by William W. Cox, where he remained three years, after which he bought a ranch in Tassajara Valley, where he engaged in stock-raising for three years more. He now sold out the majority of his cattle, retaining three hundred head of the best, and entered into a partnership with Elisha Harlan, and thus continued for three years further. Mr. Allen now transferred his habitation to Alamo, and afterwards to Martinez where he remained until the fall of 1861. At this time he moved to San Francisco with the intention of acquiring real estate there, but engaged in mining in Virginia City, Nevada, and Reese River. During these last years Mr. Allen suffered much from sickness, and was consequently not as successful in accumulating the goods of this world as he otherwise might have been. He now engaged in the livery business, which he continued until 1865, when, disposing of it, he was appointed by Governor Haight Adjutant-General of Militia for the State of California, the functions of which office he discharged for three years. About this time Mr. Allen's sight began to fail him; he therefore repaired to Santa Clara for a three months' rest, after which, he returned to San Francisco, where he was prostrated by asthma. To seek his health he came to Livermore, Alameda County, where he has since resided, engaged in real estate operations. Colonel Allen was present in Mexico during the Maximilian War. Mr. Allen's family consists of one son, viz.: Eugene D., born in San Ramon, Contra Costa County; Delora Belle, now the wife of Doctor Biddle, Healdsburg.

WASHBURNE R. ANDRUS.—Was born in Farmington, Hartford County, Connecticut, September 23, 1841, where he received his education and learned the carpenter's trade, at which he has always worked, save during seven years, when he served as

a policeman at Hartford, of which city he was finally elected Captain of Police. In this position he made an excellent record. Coming to California in the year 1873, he at first worked in the San Francisco Manufacturing Company's Works, but subsequently took up his residence in Oakland, where he followed his trade. The rise of the Workingmen's Party found him at his bench, prior to which he had been identified with the Republicans, but joining the labor movement he became one of the organizers of the famous Peralta Street Club. Elated by recent successes in electing State Senator Bones to the Legislature, they determined to take part in the election for city officials of Oakland, and on February 19, 1878, at the nominating convention held in Germania Hall, Mr. Andrus received the nomination for Mayor, being elected to that high office by a majority of two hundred and ten votes, his opponent being William B. Hardy of Oakland. In 1879 Mr. Andrus was re-elected to the office by, strange to say, the same plurality, the citizens' nominee on the occasion being Major D. W. Standeford, one of the proprietors of the Oakland Planing Mill. While Mayor Andrus was in office he used his opportunity judiciously, while his two messages are official documents that bear evidence of deep thought and a practical mind; indeed, so much was he thought of that he was appointed Secretary of the State Board of Railroad Commissioners upon the organization of that department, and, notwithstanding a change in the Government, has been retained to perform the onerous and arduous functions of that position with the second Board.

F. A. ANTHONY.—Was born in Cayuga County, New York, May 14, 1846, and there resided until November, 1854. In this month Mr. Anthony, his parents, Wm. and C. C. Anthony, two sisters and a brother sailed for California *via* the Nicaragua route, and arrived in San Francisco in December of the same year. After a short time passed in the Bay City our subject and his parents moved to Santa Cruz and there he was in part educated. After serving his apprenticeship at the tinsmith's trade with his father, his schooling was continued in the Brayton School, Oakland. On his return to the home of his father, he engaged as hardware clerk to the successor of his father in business, which he followed until coming to Alameda County in December, 1869. He now settled in Livermore and commenced business in the old town of Laddsville, and in 1872 erected his present store buildings and opened the hardware emporium he now conducts. Mr. Anthony was the first Treasurer of the town of Livermore, and was the Town Clerk during the terms 1880-81 and 1881-82. He married in Santa Cruz, February 28, 1872, Miss Mary S. Newell, a native of the city of New York, and has no issue.

LOREN B. ANWAY.—Was born in Seneca County, Ohio, January 14, 1829, where he resided until his coming to California, being previously engaged in farming. On May 1, 1852, he left the Mississippi River in company with W. H. Parker, of Marysville, with a party of seventy-four persons in a passenger train and arrived in Yreka, Siskiyou County, August 7th of the same year. Having engaged in mining for six years he returned to Ohio in 1858, but, in 1861, came back to California and settled in Siskiyou County. Having maintained a residence there until March, 1864, he once more paid a visit to the Eastern States. The same year saw him back on the Pacific Coast, however, bringing with him a band of cattle. In 1865 he located in Alameda County on his present farm, comprising one hundred and sixty acres, where he is now engaged principally in fruit-culture and stock-raising. He has twenty-six acres of as fine an orchard, stocked with various kinds of fruits, as is to be seen anywhere. Mr. Anway has held the office of Roadmaster, while he has for nine years been an active and prominent member of the Eden Grange, of which he has served two terms as Master. Married in Ohio, June 23, 1859, Miss Fannie J. Horton, and has, Clayton L., Dora, Jay B., Mary, Katie.

FRED. D. ARFF.—Was born in Keil, Holstein, Germany, on the 5th of February, 1822; and resided there with his parents until sixteen years of age, when he had a great desire for the sea. He led a seafaring life for sixteen years, sailing on various freight and

passengers vessels, and entered mostly all the principal ports on the continent. In 1852, on the 11th of May, he arrived at San Francisco on the clipper ship *John Stewart*, and landed at long wharf on Commercial Street. At the time he landed he was penniless, but was fortunate enough to get free board and lodging for a couple of days. Soon after his arrival he went into the mining occupation. The first mine he entered was at Woods Creek, between Jamestown and Sonora, where he discovered from eight to ten dollars' worth of gold daily. He remained there six months, when he went back to San Francisco, where he again took up his old occupation for six months on a sailing ship, carrying lumber from Oregon to San Francisco. After leaving the latter ship he met an old mate of the *John Stewart*, by the name of James Wood, who got him a situation in a store at the corner of Union and Battery Streets. At the end of twenty-three months he embarked in a draying business until 1856, when he came to his present place, comprising two hundred and eighty acres of land at Mount Eden. On the 18th August, 1857, he married a Miss Louise D. Liese, of Hesse-Cassel, Germany. Five children were the result of this union, of which two sons and two daughters survive.

CAPT. GEORGE ATKINSON.—Was born at Mountville, Waldo County, Maine, September 26, 1836, being left an orphan at eleven years of age. On March 4, 1852, being then but sixteen years old, he went to Syracuse, New York, and there found employment in a drygoods store, where he continued five years, on the expiration of which time he moved to Lyons, Ionia County, Michigan, where he was engaged in a like business for two years. He then proceeded to Fulton, Whitesides County, Illinois, and after a year to Lake City, Wabasha County, Minnesota; he there engaged in the commission business and resided until his coming to California. When the Civil War broke out, Captain Atkinson on April 26, 1861, enlisted in Company I of the First Minnesota Regiment of Infantry, and leaving Red Wing on the 27th of May proceeded to Washington, where they were assigned to Franklin's brigade, and took part in the first battle of Bull's Run. Subsequently he was attached to Sedgwick's division of Simm's corps of the army of the Potomac, and was present in all the engagements until August 8, 1862, when he mustered out for promotion at Harris Landing, Virginia. He now returned home, and on August 26th of the same year took command of Company G, Eighth Minnesota Volunteer Infantry, and with it proceeded to Fort Abercrombie, Dakota, where he was quartered for eighteen months under General Sibley in the first instance and afterwards under General Sully, their duty being the subjection of refractory Indians. In the summer of 1864 Captain Atkinson was detailed with two hundred men to proceed to the relief of certain emigrants who were held in check by Indians about two hundred miles west from Fort Rice, which duty being successfully carried out, they marched back to Sioux City, Iowa, thence to Dubuque, and then followed his regiment, which he joined at Murfreesborough, Tennessee, and was appointed Brigade Inspector of the Third Brigade, First Division of the Twenty-third Army Corps, with which he remained until the close of the war, having been engaged in the great fights at Nashville, Franklin, and Murfreesborough. After the battle at Nashville the corps to which Captain Atkinson was attached followed Hood to the Tennessee River, where the Captain sustained the well-earned reputation of Minnesota troops for bravery on the field of battle, whence they were transported to Washington, where they arrived in February, 1865. Here they embarked in transports for Fort Fisher and thence to Newburn, North Carolina, then following up the railroad to Kingston, and onward to Goldsboro' there joining Sherman's army, with which they proceeded to Raleigh, North Carolina, and finally halted until August, 1865, at Charlotte, in that State. On the 26th of the same month his regiment was mustered out of the service and returned home, he never having received a scratch, although being in the thickest of the fray in many a hot engagement. Upon his return to Minnesota, as we have already said, Captain Atkinson engaged in the commission business in Lake City, where he resided until 1872, when he embarked in a

grocery store in St. Paul, Minnesota, and there remained until November 1874, when, with his wife and family, he came to California and made his home in San Francisco. His first employment there was for one year in the Assessor's office, after which he entered upon his present position in the General Freight office of the Central Pacific Railroad Company. In 1876 he transferred his residence to East Oakland, and for the last four years has been secretary of the Cosmopolitan Mutual Building and Loan Association. Married in Lake City, June 7, 1866, Miss Maria Kellogg, a native of Pennsylvania, and has five children, viz.: Frank, Sue, Blanche, Nellie, Hardy.

NATHANIEL L. BABB.—Was born in Saccarappa, Cumberland County, Maine, January 14, 1837, where he received his education and resided with his father, who owned and carried on an iron and brass foundry. Was a molder and foundryman until starting for the Pacific Coast. On June 16, 1852, being then fifteen years of age, our subject sailed for California by way of the Isthmus of Panama, and arrived in San Francisco per steamer *Daniel Webster*, on the 9th August of the same year, coming direct to J. B. Sweetser's farm, at what is now Centreville, Alameda County, where he continued until the fall of 1857, when he revisited his home in Maine. During his absence his parents had removed to Portland, where he spent the winter of 1857-58. In the following spring he returned to California and located on his present place, having previously purchased a hundred acres of land situated three miles west from Washington Corners, has there made many extensive improvements and resided ever since, with the exception of a trip, starting in April, 1863, and returning in October, the same year, to Washington Territory by the way of Carson, Humboldt, Snake, Burnt, and Powder Rivers, back across the Blue and Cascade Mountains to Eugene City, Oregon, thence back by stage road through California home. He went on horseback, as a great part of the way there was not even a trail. He also made a visit to Arizona by Tulare Lake, Fort Tejon, Mohave River to Fort Mohave thence returning by San Bernardino, Los Angeles, and then the coast road home. Went with light spring wagon. His companions returned from Los Angeles by steamer, but he returned on horseback with as many of their animals as were able to stand the trip. They started in the fall of 1863, returning in January, 1864. Mr. Babb occupies himself with general farming and running a threshing machine in the proper season. Beyond being one of the organizers of the Washington Township Pioneer Association and one of its charter members, Mr. Babb has held no office. Our subject also owns one hundred and sixty acres of land on the Patterson Pass road seven miles from Livermore, which he leases.

CAPTAIN THOMAS W. BADGER.—The subject of this sketch, one of Oakland's best-known citizens, was born in Northampton County, Virginia, July 28, 1827, and is the son of T. W. and Margaret (Cearn) Badger. Having resided with his parents until he was fifteen years of age, he then commenced a seafaring life, which lasted until 1849. In that year, so dear to every pioneer, our subject came to California and entered upon the navigation of those streams which before that time had known no more violent commotion than the ripple left by the native canoe, or the wake behind the whale-boat of the more advanced settlers. Settling in San Francisco, Captain Badger engaged in the shipping business, having several vessels employed not only navigating the coast and inner waters of California, but also in the Sandwich Island, Chinese, Australian, Mexican, and Japan trades. In the month of September, 1857, he took passage, with his wife, in the ill-fated steamer *Central America* from Aspinwall to New York, during which, so bad was the weather experienced, she shipped green seas from figure-head to stern, putting out the engine-room fires and leaving the vessel a helpless wreck, to the mercy of the waves. The master and officers were lost overboard, therefore Captain Badger took command of the craft, which, by his great experience, he kept afloat until relief was obtained from a Norwegian bark, who cared for the survivors. To his skill and management are due the saving of the remainder of the lives, two hundred of whom were duly taken from the wreck

four hours before she sank. On his landing in New York, the intrepid conduct of Captain Badger was rewarded by a committee of its citizens, with the presentation of a handsome silver trumpet, bearing the following well-deserved tribute: "Presented to Captain Thos. W. Badger, by the Central America Fund Committee, in token of their high appreciation of his conduct on board the steamer *Central America*, at the time of the loss of that ill-fated vessel. PETITIA PERIT, *President*; LLOYD ASPINWALL, *Secretary*. New York, May 17, 1857." Remaining at the East until 1861, in that year he returned to California, and coming to Alameda County purchased the beautiful *demesne* which he has since transformed into one of the most beautiful public parks in the State. Early in 1872 he commenced building the large pavilion and preparing the ground ere throwing it open to the public. His improvements cost him between forty and fifty thousand dollars, but this immense outlay has been rewarded by perennial success. During the administration of Governor Haight he was called upon to discharge the functions of Pilot Commissioner for the port of San Francisco, and also under Governor William Irwin's administration he held the same office. At a still earlier date he was Marine Surveyor for one of the principal insurance companies in that city. He married, December 29, 1856, Mrs. Jennie A., widow of Captain Chas. A. Falkenburg, by whom he has no issue.

J. EDWARD BAKER.—Was born in Wyoming County, New York, June 24, 1849, and is the son of James and Nancy (Guffin) Baker. Receiving his education at the University of Rochester, he subsequently became a telegraph operator in the city of Buffalo, an occupation he continued until coming to California in the year 1871. After being engaged for a short time in the telegraph service in San Francisco, he transferred the field of his operations to Santa Clara County, and accepted a position in the San José Savings Bank, where he remained until 1878, when he was dispatched by Mr. Hinds to assist in the organization of the First National Bank at Alameda, in which he has since held the position of Cashier. He married April 17, 1876, Miss Carrie Packard, a native of Boston, Massachusetts, and has two children, viz., Alice and Carleton.

HUGH BANKHEAD.—Was born in Cumberland, Alleghany County, Maryland, April 22, 1846, and there resided until two years of age, when he was brought to Missouri, then to California, by his parents, arriving here at seven years of age. First settling in Plumas County, they abode there four years, when they moved to Honey Lake Valley, Lassen County, where they dwelt for a further period of six years. Here our subject worked on his father's farm until 1863, when he transferred his residence to Oakland, and attended the College of California for three years. In 1866 he engaged in the auction and furniture business, which he still continues in Oakland, at Nos. 911 and 913 Washington Street. Married in 1872 Miss Eva J. Weider, and has two sons, viz.: Malcolm Houston and David Boyd.

ANTONIO BARDELLINI.—Was born in Lerci, Italy, and there spent his early life, having, when quite young, adopted the sea as a calling, and as such visited most parts of the known world. The year 1850 found him in California, and in San Francisco engaged in the fishing business for several years. After passing a good many more years in the mines, he went to Mexico, and embarked in the dry-goods business, and on his return once more tempted fortune in the gold-yielding cañons of the Sierras. He once more, after this period, commenced fishing for the San José market, and in 1858 opened a general merchandise store at Mission San José, where he resided six years, when he came to Alisal, now Pleasanton, and opened the first hotel in that place, it being a portion of the present Rose Hotel, and then known as the Pleasanton Hotel. In the year 1867 he came to Laddsville, built a hotel there and conducted it for four years, when he purchased the ranch now occupied by Mr. Robinson, and set out the first vineyard in that locality. On the destruction of the hotel by fire in 1872, he continued farming until 1874, when he disposed of his farm and moved on to his present property, which had been pur-

chased by him some time previously, consisting of half a block on the corner of First and L Streets, in the town of Livermore, to which many extensive improvements have since been made, all of which have developed into the Washington Hotel, one of the leading hostleries in the prosperous town of Livermore. Married in San Francisco October 20, 1862, Maria Lometti, a native of Italy, and has four children, viz.: Joseph B., Corinne J., Furrello J., Emil A.

HENRY S. BARLOW (deceased).—Was born in East Dougall County, Pennsylvania, July 19, 1820. Having served his apprenticeship to the miller's trade, in the year 1847 he proceeded to Iowa, and there followed his calling until starting for California in 1852. On arrival he at once proceeded to the mining districts, and after remaining there until 1854, in that year came to the Encinal of Alameda and embarked in agricultural pursuits. He subsequently tried his hand at teaming for a short time. Mr. Barlow had held the office of Constable for Alameda, as well as the position of School Trustee, and in 1863 commenced the erection of the Loyal Oak Hotel, where he died January 29, 1878. Married February 9, 1848, Miss Susan Keiser, a native of Bloomfield, Perry County, Pennsylvania, by which union there are four surviving children, viz.: Elizabeth C., Albert, David K., Mary J.

W. P. BARTLETT.—The subject of this sketch, for six years a resident of Livermore, was born in New Portland, Maine, in 1855, and is consequently twenty-seven years of age. He completed his schooling at fifteen, learned the printing business, and worked for several years as a journeyman in Boston, Philadelphia, and San Francisco, before becoming of age. In January, 1877, he resigned a lucrative situation in the last city, to engage in the newspaper business in this county, starting, with a very limited capital, the Livermore *Herald*, now a well-established and influential journal. Two years ago he added the real estate business to his newspaper work, in which his success has been without precedent in that section of the county. By this means, and through the columns of his paper, he has succeeded in bringing many new settlers to Livermore Valley. He was one of the first to make known abroad its resources, having written and published in 1878, a pamphlet of forty pages descriptive of its advantages, which obtained a large and wide circulation. He is an active member of the Pacific Coast Press Association, and aside from his regular literary work and business, an occasional contributor to the San Francisco press. Series of articles from his pen, on the scenery of the high sierras, published in the *Chronicle* in June last, have been copied by numerous of the larger Eastern journals and in Europe, besides being quoted as authority by Omman's new guide-book to this State. He possesses a decided fondness for mountain scenery, and makes frequent trips through the Coast Range and Sierras, each of which adds to a fund of information, for use in subsequent literary work. He is, moreover, an active, energetic business man, and an earnest worker for the best interests of every section of Livermore Valley.

RICHARD BARRON.—The subject of this sketch, whose portrait will be found in this work, is the son of Edmund and Ellen (Helin) Barron, and was born in County Tipperary, Ireland, June 22, 1824. He accompanied his parents in 1834 on their emigrating to the United States, and with them settled in Cleveland, Ohio, where our subject resided until coming to the Pacific Coast in search of health. Starting from St. Joseph, Missouri, on May 1, 1850, with wagon and horses, he made Hangtown, now called Placerville, in ninety days, where, selling his animals, he purchased a mining outfit and tried his luck in Hangtown Cañon. Two or three days of gold-seeking were enough for him. He at once proceeded to San Francisco and commenced draying, which following, at the end of five years he abandoned and betook himself to Alameda County in 1855, where he located and began farming on his present estate, comprising seventy-five acres of arable land and fifteen hundred of marsh-land. Is also in the business of shipping of freight and storage of grain and hay, and manufacturing of salt, etc. Married August 5, 1852, Miss Mary Foley, a native of Ireland,

and has five surviving children, viz.: Ellen, now Mrs. J. Scribner; Katie, now Mrs. T. Stratton; Emma, now Mrs. H. C. Martin; Richard, and James.

WILLIAM BARRY. — Was born in Rochfort Bridge, Westmeath, Ireland, October 2, 1831, and there resided until fourteen years of age. Afterwards he served two years in the office of a solicitor in Dublin, but getting tired of the musty tomes and crisp parchments of this "limb of the law," he shipped on board the *Forest Monarch*, bound on a voyage from Liverpool to New York, subsequently proceeding to St. John's, New Brunswick, whence he sailed for Greenock, Scotland; but on the passage suffered shipwreck on the Arran Isles, on the northwest coast of Ireland. The crew landed on the island of Inniskerragh, and stayed by the hulk for nearly a month. They soon separating, our subject found his way home after a weary walk of a hundred and eighty miles, and an absence of six months. Mr. Barry followed "a life on the ocean wave" for several years, during his cruises visiting nearly all parts of the world. In the year 1851 we find him in Australia, reaching Port Phillip in the first year after the gold discovery there, whence he sailed for South America, etc. On May 1, 1852, our subject arrived in the harbor of San Francisco with a cargo of coal from Valparaiso, but soon after left his ship and found employment with the Pacific Mail Steamship Company for one month. Mr. Barry next was for a short time engaged in Contra Costa County, working for William Castro. He then went to San Francisco; and finally came to Alameda County July 1, 1852, and obtained work from E. L. Beard and Millard Brothers, until 1854. In the summer of 1855 he started in the manufacture of grain-sacks in Centreville, in partnership with Richard Wilson, and in the fall of that year purchased the lot whereon now stands the store of Saltz & Co., on which a building was erected, and our subject opened a store of general merchandise. This business he conducted until 1857, when he sold out and embarked in sheep-raising, an occupation he abandoned in the fall of 1861, when, meeting with some serious reverses, he left the county for the first time since his arrival in it. Proceeding to Monterey County, he there became superintendent of the extensive ranch of Colonel Hollister, where he remained until the summer of 1863, at which time he went into the employ of Searle & Wynn, when he was prostrated from sickness. On his recovery, Mr. Barry returned to San Francisco, and in April, 1864, took charge of the ranch of J. B. Wynn, near Hollister, in whose employ he continued till the fall of 1866. He now engaged in the book business until 1869, in which year he returned to Alameda County, purchased his present place of fifteen acres, situated a mile and a half east of Centreville, and where he cultivates fruits and herbs.

JOHN BARTON. — This gentleman, whose portrait appears in this work, is the son of Elijah and Hannah (Ward) Barton, and was born in Leicester, Worcester County, Massachusetts, September 13, 1813. In 1818 he removed, with his parents, to Kent, Litchfield County, Connecticut. Having received his education in the common schools of that place, at the age of nineteen years he obtained a clerkship in a mercantile establishment there, and remained until the year 1838. Being then twenty-five years of age, he removed to Buffalo, New York, and in 1839 embarked in business, which he continued six years. For the succeeding two years he resided in Cincinnati, Cortland County, New York, following the like avocation, and then emigrating to Richmond County, Ohio, there connected himself with the firm of P. B. Cornwall, and remained until he determined to try his fortune in the Land of Gold. On March 15, 1850, taking passage per steamer *Cherokee*, Mr. Barton sailed for Chagres, thence proceeding to Panama, he there boarded the *Panama*, and anchored in San Francisco Harbor April 21, 1850. Like nearly all pioneers of that date, our subject went to the gold-bearing regions. For the first two months he wielded the pick and rocker at Georgetown, El Dorado County; but this he soon abandoned, and returning to Sacramento in the month of October, embarked in the auction and commission business, on First Street, between J and K Streets, under the style and firm of Barton & Boelden, subsequently known as Barton & Grimm. In the year 1855

our subject entered into the salt trade under the firm name of Barton Brothers, and in 1858 commenced the importation of that commodity from Carmin Island, opposite the town of Loreto, in the Gulf of California. On March 25, 1868, the Union Pacific Salt Company was organized, and the most extensive salt-making concern on the Pacific Coast established. After incorporation, the company purchased Rock Island, containing about one thousand acres and situated in Washington Township, at the *debouchure* of Alameda and Eden Creeks. In 1870 work was commenced, and in 1873 it was so increased that employment was given to a large number of men. A history of this industry will be found on page eight hundred and twenty-four of this work. On the organization of the Union Pacific Salt Company, Mr. Barton was chosen to fill the position of its President, an office he has since occupied. But this has not been the only enterprise on the coast with which our subject has been associated. He was one of the original promoters of the Sutter-street Railroad, San Francisco; in 1863 he became a director and a member of the Finance Committee of the Fireman's Fund Insurance Company, positions he now holds in that institution. In 1872 he located in Alameda, and in 1879 erected his present fine mansion in that town. In Mr. Barton we have another of those living examples of what a life of earnest industry can attain. His resolve "to be up and doing" has brought wealth and its adjuncts of comfort and freedom from care. "The whips and scorns of time" have passed him by, and at the "grand climacteric" we find him leading a peaceful and contented life, surrounded by the much-to-be-desired solace of a comfortable home and a happy family. Married October 14, 1858, in Buffalo, Miss Isabella Barton, a native of that city, by whom he has: William Ferris and Grace Thompson.

ELIAS LYMAN BEARD (deceased).—The subject of this sketch was born in Lyons, Wayne County, New York, October 15, 1816, but when quite young was taken by his parents to Jackson County, Michigan, and in the following year to Peru, Miami County, Indiana, where he assisted his father who was a contractor, and later took contracts for himself, among the enterprises he was engaged upon being the construction of the Wabash and Erie Canal. In 1836 he settled in La Fayette, Tippecanoe County, in the same State, where he was engaged in grain and saw milling, being shipper of the first load of grain on the above-mentioned aqueduct. Later he engaged in the pork-packing trade, and owned a stone quarry in that place, while to him is the honor of having shipped the first load of corn from the State of Indiana to the New York market. In 1844 he contracted to build for the Government, and saw to their completion the splendid docks of the Navy Yard at Memphis, Tennessee; after which, he returned to his home in La Fayette, and conducted his milling, quarrying, and mercantile pursuits, until he made up his mind to tempt fortune on the Pacific Coast. Leaving Indiana in February, 1849, he proceeded to New Orleans, and there took ship for Matamoras, whence he made the journey across Mexico to Mazatlan, at which place he secured a passage on board the Government boat *Edith*, among the passengers being Mr. Sam. Martin of Oakland, and arrived in San Francisco in May, 1849. After passing a month traveling through portions of California he finally settled at Mission San José in June of that year, and became largely interested with John M. Horner in land there. It was a bold venture at the time—this purchase of some thirty thousand acres—the Pico interest in the Mission Grant. The title to the land was so uncertain that it was a great risk to lay out money on it. Fences had to be made of wire, and the miles and miles required of it cost a great deal of money. Farming implements, too, were expensive, and the price of labor was very high. Of course the interest on money was high also, and the result of the farming experiment was considered at that time very uncertain. All flour, as well as other supplies, were being imported from the East, and there were as yet no mills to grind the wheat in California, if it could be grown. But Mr. Beard was a man for large enterprises, and of indomitable courage, and in spite of all obstacles and risks he entered upon the business of grain and fruit raising on what

then seemed to be a magnificent scale, and the result fully justified the soundness of his judgment, and demonstrated the agricultural capabilities of the country. In 1852 he had six hundred and forty acres of grain that yielded, on the average, fifty-six bushels to the acre. His yield of potatoes was sixty thousand bushels, averaging, for the most part, three hundred and thirty bushels to the acre. According to the Rev. Dr. Willey, in the *Pacific* of May 19, 1880, the size of these potatoes was something marvelous. It was common to find some of three pounds weight, and frequently those weighing from three to five pounds. He says: "I remember during one day at Mr. Beard's, when there were nine of us grown persons at the table, and a single potato, weighing four pounds, served us all, and there was plenty left for three persons who came afterward, and both the quality and the flavor were unexceptionable." The Mission orchard inclosure then comprised fifteen acres. Besides vines, fig-trees, olives, peach, and quince trees, there were in this orchard three hundred and fifty full-grown pear-trees. The yield of one of the largest of these trees was fifteen hundred pounds of fruit, the gross income from which was \$400. The gross receipts from the vineyard in the year 1851 were \$16,000. Having been joined by his wife, a son, and step-son, Mr. Beard took up his residence on land purchased from Thomas O. Larkin, and from the produce of the old orchard acquired a handsome competency. But such were his sanguine hopes of the future of California that he invested all his means in partial payments upon ranches, and the depression in values which soon followed swept away all his accumulations, and left him a poor man. In the year 1858 he took charge of the Mariposa estate in connection with General Fremont, but this undertaking proving a failure, he then contracted to purchase a mile square of land, embracing the now town of Salinas, expended largely in fencing, and put in a crop of wheat, but the season proved unfruitful, and he lost his investment. At the beginning of the Civil War he joined General Fremont at St. Louis, and distinguished himself for his energy and force of character by the rapidity and zeal with which he executed contracts for fortifying the city—contracts which amazed people by the brief time allowed to fulfill their requirements. In 1865, himself and his step-son, Henry G. Ellsworth, procured a perfected title, by patent from the United States, to nearly four thousand acres of land on the ex-Mission of San José, and were again the possessors of a competency. But not content with this, his sanguine disposition led him into sundry enterprises, embracing an attempt to develop an oil-well at Matole, Humboldt County, and to open mines in various parts of the country. After speculations, all of which proved unsuccessful, he made an attempt to recuperate these losses by dealing in mining stocks, which finally swept away his entire fortune, and he died, May 8, 1880, so far as worldly goods are concerned, a poor man, leaving a widow, who is beloved by all who know her—a woman endowed with the finest social and tenderest womanly qualities of character; and a son, a sketch of whose life is given below. Mr. Beard was the first President of the California State Agricultural Society, organized in 1854, and the first fair under his administration, in what was then known as the Music Hall, San Francisco, proved most satisfactory and prosperous.

JOHN L. BEARD.—The son of the above, E. L. Beard, was born in La Fayette, Tippecanoc County, Indiana, June 18, 1845, and there resided until his coming to California with his mother in 1850. He lived with his father at the Mission San José until the year 1867, when he took up his abode on his present place, about two miles and a half from Centreville, where he is engaged in farming and fruit-raising. Married, and has two children, namely, Jessie and Eldridge L.

HON. JAMES BEAZELL.—This well-known gentleman of Alameda County is a native of Pennsylvania. Born in Westmoreland County, October 30, 1830, where he resided until he attained the age of twenty-one years. He then came, *via* the Mississippi River, Gulf of Mexico, across Texas and Mexico, to California, arriving in San Francisco July 19, 1852; coming immediately to Mission San José, where he

found employment for a short time at his trade of blacksmithing, and then went to Alvarado; and finally, in 1853, located in Centreville, where he carried on business until 1862, when he moved to Washington Corners, and in August, 1868, transferred his business to the thriving town of Livermore; and in 1878, in connection with his brother, erected their present shop on Lizzie Street, where they transact a general blacksmithing business, under the firm name of Beazell Brothers. In the fall of 1875 Mr. Beazell was called from his anvil by the voters of Alameda County to represent them in the State Senate, a position he was re-elected to in 1876, filling all the functions of that high office to the satisfaction of his constituents and honor to himself. In January, 1871, our subject was united in marriage, in San Francisco, to Miss C. W. Veirs, a native of Ohio, by which union they have two children, Ella B. and Jessie M.

BENAJAH BENEDICT.—This much respected pioneer of Alameda County, whose portrait will be found in this volume, was born in Addison County, Vermont, December 1, 1825, and is the son of Jonas A. and Soloma (Towner) Benedict. His parents moving to Crown Point, Essex County, New York, when he was six years of age, there he received his education, grew to manhood, and resided on his father's farm, until determining to tempt fortune on the Pacific Slope. On April 20, 1852, he sailed in the bark *Southerner*, around Cape Horn, for San Francisco, where he arrived on the 22d of October. It was not to loiter in that city that he had braved the dangers of the deep and made the wearisome voyage; no, he almost immediately went to the gold-producing cañons of the Sierras, but not finding there the riches that he had expected, he made his way back to San Francisco, and there remained until January 11, 1853. At this date he first came to the Contra Costa, for Alameda County had not yet been created, and, locating in the vicinity of Union City, embarked in farming operations on the land at present owned by John Shinn. There he remained until October, 1853, when he removed to the Encinal of Alameda, and commenced agricultural pursuits on land now owned by Capt. R. R. Thompson, and upon which that gentleman has erected his handsome mansion. In December, 1854, he transferred the scene of his labors to Bay Farm Island, rented land from Mr. Cleveland, on which he farmed until 1856. In the following year he was associated with Mr. McDonald in tilling the soil, and in 1859 he erected and occupied the house in which he now resides. Mr. Benedict owns on the island about seventy-five acres of land, which is chiefly devoted to the raising of asparagus and hops, while he is largely interested in the latter industry with Jacob B. Shirk, in Washington Township. This enterprise Mr. Benedict has succeeded in bringing to a high state of perfection, and with the high prices ranging during the past year for that commodity the yield has added considerably to his already well-filled coffers. The benefits that he has conferred upon the small community of the Island are many. His advocacy and support of our public school system shows that he firmly believes that the only royal road to knowledge is by the early training of the young, and that it is the "mind that makes the man." Married, February 19, 1857, Mrs. Persis A. (Cleveland), widow of Chester Hamlin, who has two surviving children.

NEWTON BENEDICT.—Was born in Rhode Island, September 15, 1825, and is the son of David and Margaret (Gano) Benedict. He received his education in his native place, and there resided until seventeen years of age, when he went to Boston and became connected with the *Boston Daily Times* newspaper, at that time the leading daily morning paper in that city. Here Mr. Benedict resided most of the time until his departure for California. The father of our subject was a distinguished divine of the Baptists, and was the historian of the denomination, an erudite article which will be found *in extenso* in the *Encyclopædia Britannica*. On March 4, 1849, Mr. Benedict sailed from Boston in the ship *Charlotte* by way of Cape Horn for the Pacific Coast, and after a voyage of one hundred and ninety-two days, with all its attendant discomforts, cast anchor in the harbor of San Francisco. Proceeding a

once to the mining county of El Dorado, he there embarked in a mercantile business which he continued until 1854. In that year he returned to San Francisco for a short time, and subsequently located in Todd's Valley, Placer County—eighteen miles above Auburn, on the divide between the north and middle forks of the American River. Here he dealt in merchandise until 1862. He next passed four years partly in Washington Territory and in the State of Nevada, still being engaged in the same business, and in 1866 came to Alameda County, located in Oakland, and assumed the affairs of several fire and life insurance agencies. In 1867 Mr. Benedict filled the office of Recording Secretary to the State Legislature of California; performing its functions the last three sessions in the senate until the year 1879-80. In 1875, he embarked in real estate transactions which he now continues, being associated with James R. Capell, under the style of Benedict, Capell & Co., real estate agents, and notaries public, at No. 457 Ninth Street, Oakland. Mr. Benedict married, September 14, 1853, Fanny S. Burrows, *née* Sowles, a native of New York, and has: Anna H., and Harry G.

ROBERT H. BENNETT.—Was born in Baltimore, Maryland, in the year 1826, and is the son of John and Elizabeth S. Bennett. Having received his education in the ordinary schools of that city, he entered the counting-room of a grain commission house where he remained until 1849. On the 25th January of that year he sailed from Baltimore in the ship *Jane Parker* by way of Cape Horn to San Francisco, where he arrived July 21, 1849. Mr. Bennett and two others on landing pitched their tent on the site now occupied by the Clay-street Bank, and there established a mercantile store, which was carried on with much success until the never-to-be-forgotten May fire of 1850. Notwithstanding this disaster the business was immediately started under the style and firm of Bennett & Kirby, hardware and commission merchants, and continued until July, 1851. Mr Bennett now entered the commission and produce trade under the name of R. H. Bennett & Co., but in 1855, upon forming a copartnership with H. G. Blaisdell, ex-governor of the State of Nevada, the same business was carried on in the store-ship *Steiglitz* at what is now the corner of East and Washington Streets. At the end of a year the firm resumed its old style of R. H. Bennett & Co., by which it is still known and highly respected in San Francisco. In 1878 Mr. Bennett came to Haywards and took the warehouses there. He with his family were residents of Oakland between the years 1864 and 1876, in which latter year they moved to Fruit Vale, where they at present dwell. Mr. Bennett is married and has a family of two children surviving.

AUGUSTIN BERNAL.—Was born in San José, Santa Clara County, California, May 25, 1848. His father, Augustin Bernal, who died June 19, 1872, was born at the Santa Teresa Rancho, in Santa Clara County, and was eighty-seven years of age at the time of his demise. For more than twenty years he served as a lieutenant in the Mexican army, for which he received eleven leagues of land in the San Ramon and Livermore Valleys, known as the Rancho El Valle de San José, and which he divided equally with his brother Juan Pablo Bernal, and two sisters. As patented, the rancho contained forty-eight thousand acres, and extended from Suñol Valley to Livermore. He was twice married, and left a widow and large family of sons and daughters to mourn his loss. He was much respected for his honesty, integrity, genial and generous disposition, while, he was an exception to the general run of his countrymen. He was very careful and held on well to his property, and made it secure by dividing it among his children; the result is that the Bernals hold their ground on the original grant better than any other of the native families. When but an infant the subject of this sketch was brought by his parents to what is now known as Alameda County, where he has since resided, at present owning an estate of eleven hundred and fifty acres, which he rents, and maintains a residence himself in Pleasanton. Married Miss Francesca Soto, a native of San Mateo County, by whom there is no issue.

DENNIS F. BERNAL.—The subject of this sketch, whose portrait appears in this work, as a proper representative of one of the earliest families to settle in Alameda County, was born in Pleasanton, in that county, April 8, 1856, and is the son of Francisco and Maria (Thompson) Bernal. When he was fourteen years of age he left California for South America, and having visited all of the principal ports on its Pacific Coast, at the end of five years returned to his birthplace on December 8, 1875. In the following month he entered the Golden Gate Academy where he remained until November 18, 1878, and in January, 1879, commenced a course in a business college in San Francisco, from which he graduated on Christmas-day of the same year. Mr. Bernal then took up his residence in Livermore, but in August 1881 took a trip to Arizona and Mexico, where he visited the mining districts of those States, and shortly after came back to California. On his return home he won the heart of a dark-eyed daughter of one of Alameda County's Supervisors, but a native of New York, to whom he was united in marriage in 1883. He has since taken up his abode in his beautiful residence in the town of Livermore, near which he has a large farm of very valuable land, on which there is a comfortable farm-house, with mill, barn, etc. Mr. Bernal also possesses some property in the vicinity of Pleasanton.

JOSE BERNAL.—This scion of one of California's most ancient and well-known Spanish families, was born in what was then known as the Contra Costa section of the District of San José, October 20, 1823. Save during the time of attending the schools at Monterey, the former capital of California, Mr. Bernal has been always a resident of what is now called Murray Township, Alameda County—the place of his birth. Fuller remarks on the Bernal family will be found elsewhere. Our subject married, November 10, 1855, Alta Garcia Higuerra, a native of California, by whom there are: Ezequiel, Ezequies, Peryguino, Gonzaguia, Francisco, Emil, Manuel, Candido, Sedonia, Madronia.

ELIJAH BIGELOW.—Is the son of Elijah and Rebecca (Fisk) Bigelow, and was born in Newton, Middlesex County, Massachusetts, September 9, 1810. Here he resided until the year 1852, when joining in the human stream then turned towards California, he sailed from the city of New York, March 20th, and arrived per steamer *California* in the harbor of San Francisco, May 14, 1852. He at once embarked in the grocery and provision business on Front Street, and there continued three years, afterwards being thus engaged in other parts of the city in the same line of trade until 1863, when he crossed the bay to Oakland, and started in real-estate transactions, acquiring the first homestead in Oakland, it being situated at the corner of Market and Fourteenth Streets of the present day. Married, firstly, July 13, 1834, Emma McLachlan who died January 6, 1880; and secondly, May 15, 1882, Mrs. C. F. Bartlett.

J. A. BILZ.—Was born in Baden, Germany, January 7, 1837. When about twenty years of age, he emigrated to the United States, sailing from Havre, and arriving in New York July 3, 1857. After working at his trade for five years in the State of New York, and about nine months in Connecticut, he sailed from New York in April, 1863, *via* Panama, to San Francisco, landing May 10th of the same year. For the first three months he worked in Benicia; afterwards he moved to San José; then to Mission San José, and subsequently in different places until the fall of 1865, when he came to Pleasanton, there being but five houses in the town at that time. Here he commenced working at his trade, which has steadily increased, until at the present writing he is the proprietor of a large wagon factory. To Mr. Bilz is the honor of building the first wagon in the Livermore Valley. He married in Centreville, March 28, 1869, Miss Catharine Ishinger, a native of Würtemberg, Germany, and has three surviving children, viz.: Helene, Selma, and Minnie; and one deceased named Charles.

AMASA WRIGHT BISHOP.—One of the old residents and prominent citizens of Oakland is the gentleman whose portrait appears in this work. Mr. Bishop was born

at Wallingford, Rutland County, Vermont, August 18, 1832; was educated for the Bar, and at the age of twenty entered the law office of the Hon. David E. Nicholson. By the laws of Vermont, five years' reading in the office of an attorney is necessary before admission to the Bar, and only then upon a certificate and affidavit of good character, and thorough examination. Mr. Bishop pursued his studies in the same office for five years, practicing in the mean time in the Courts of Justices of the Peace in his own and neighboring towns, and was always very successful in his practice. In 1857 he was examined, and admitted an attorney of the Rutland County Bar. Always predisposed to literature, during his studentship he wrote more or less for the press; and in 1857, in connection with a schoolmate and student in the same office, Philip H. Emerson (now, and for the past ten years United States District Judge of Utah Territory), he started a small paper, simply for amusement, called *The Local Spy*, which created no little stir in the staid community as each weekly issue made its appearance. The paper was continued for more than a year, and until Mr. Bishop left for California, arriving in the Golden State early in 1859. He sought his fortune in the mines, as did nearly all new-comers at that time; but it did not require a great length of time to convince him, in the language of Leatherstocking that mining was not his "gift." He returned to Marysville, and for some eight or nine months devoted himself to mercantile business, in the saddlery and harness store of John W. Moore, Esq., one of Marysville's best citizens. Early in January, 1860, at the request of Mr. Moore, he went to Red Bluff, Tehama County, to take charge of the same business for his brother, C. A. Moore. While in Marysville he was a constant writer for the press, and after locating in Red Bluff, was a steady contributor to the Marysville *Appeal*, and also to the Red Bluff *Beacon*. At the solicitation of leading Republicans and anti-Le Compton Democrats, he gave up his position with Mr. Moore, and started the *Semi-Weekly Independent* at Red Bluff, the first paper issued oftener than once a week north of Marysville, and the first paper to take the dispatches—first, of the Pony Express across the Continent; afterwards the telegraphic dispatches. The first paper was issued August 14, 1860. In the fall of 1860 he was appointed Deputy District Attorney of Tehama County; and the District Attorney leaving the State soon after, he exercised that office until the next election. Tehama County at this time was one of the strongest of Democratic strongholds, only thirty-nine Republican votes having been polled in 1859. At the Presidential election in 1860, however, through the untiring labors of Mr. Bishop, and the influence of the *Independent*, this vote was increased to two hundred and forty-two for Abraham Lincoln, the balance of the vote being divided between the Douglass, Bell, and Breckinridge electors—the Douglass ticket receiving four hundred and ninety-seven votes; the Bell and Everett ticket two hundred and nineteen votes, and the balance going to the Breckinridge ticket. The next year, 1861, Mr. Bishop accepted the nomination for District Attorney from the Republican Convention, and worked with so much energy and persistency, visiting nearly every voter in the county, that he beat the nominee of the combined Democracy—Breckinridge and Douglass—by seventy-six votes. In 1862 the Republican party carried the county, electing its full ticket. Such was the change in public sentiment, and the credit for that change was due, in a great measure, to the personal work of, and the paper edited and published by, Mr. Bishop. At the session of the Legislature of 1863-64, Mr. Bishop's services were recognized, and he was chosen Assistant Secretary of the Senate by acclamation, and served during the session. The same year the Democratic paper, the *Beacon*, succumbed, was bought by Mr. Bishop, and merged in the *Independent*. In 1863, on the 7th day of November, Mr. Bishop married an estimable young lady of Red Bluff, Ellen M., the daughter of Captain E. G. Reed, the pioneer settler of the town, who located the town site, and built the first house, a hotel, at the steamer-landing. In 1865 Mr. Bishop sold his paper, and devoted his time to his profession, holding at the same time the office of Collector of Internal Revenue for the division including Tehama, Colusa, and Butte Counties. The people

of Chico, learning that he had sold out his paper at Red Bluff, prevailed upon him to locate at Chico, and start a paper at that fast growing and prosperous town. He went to Chico in the fall of 1865, and started the *Weekly Courier*, editing the paper and practicing law up to May, 1869, when he again sold out his business, office, and dwelling, and moved to Oakland. In the summer he took a trip to his old home in Vermont, visiting many of the Eastern, Western, and Southwestern States. He returned in July of that year, and opened a law office in San Francisco. Never idle, always most happy when pressed with business, he could not sit down in idleness and wait for it to come to him; therefore, to fill up the time, he started the *Masonic Mirror*, which he edited and published for four years. In 1872 he was solicited by many prominent citizens of Oakland to purchase the Oakland *Daily Transcript*, and make it a stanch Republican journal. He listened to the advice and solicitations of friends, and, the old fascination seizing him, he bought the paper; and in building it up and placing it on a paying basis it cost him several thousand dollars—all he possessed, in fact—besides nearly breaking his constitution with severe labor, he doing the work of two and three men during the four years and a half he conducted the paper. In 1876 he sold his interest in the paper—having previously sold a half interest—and in the summer of 1877, received the appointment of Superintendent of Bonded Warehouses at the port of San Francisco, which position he held until July, 1880. At the election of 1880 Mr. Bishop was elected City Justice of the Peace of the city of Oakland, and was re-elected to the same office, without opposition, at the election of 1882, which position he now holds. Mr. Bishop has always been active in politics, but he has never stooped to deceive, or forfeit his integrity—ever holding that honesty should prevail in politics as well as in the business affairs of life. If he could not support a man, he was ever free to tell him so. If he does support a man, he does it with his whole might, mind, and soul. A friend he never forsakes, and if he has an enemy, it never troubles him nor disturbs his feelings. His motto has ever been, "Do ye unto others as ye would that others should do unto you." It would be impossible for a man to be active in politics, publish a strict, terse, incisive party paper, and not make enemies; nevertheless, Mr. Bishop has probably as few enemies as any man in Oakland, for the reason that he always avoided personalities, dealing wholly with principles, and not with men. But when he combats what to his mind are false doctrines and political evils and heresies, his pen is as sharp and effective as a two-edged sword of Milan steel. His literary works are all of a high order. A California romance "Kentuck," written by him while engaged in the arduous duties of editing the *Daily Transcript*, received the highest encomiums from the press throughout the Coast, as the best exposition of early California life ever given to the public—equal, and, as many asserted, superior to Bret Harte's best. Few persons in California have a more extensive acquaintance than Mr. Bishop, and those who know him best, most appreciate his integrity of character, firmness of purpose, honesty of motives, and upright life; while all admit his ability as a terse and forcible writer; a man of general information, well read in the law, a conscientious Judge, and a useful citizen. Such is a condensed and imperfect sketch of a few incidents and points in the life and career of Amasa Wright Bishop, who for fourteen years has been a resident of the beautiful city of Oakland, and a citizen of Alameda County.

JOSEPH F. BLACK.—Whose portrait appears in this volume, was born in Burlington County, New Jersey, April 1, 1835, and there resided until he attained the age of eighteen years. On April 26, 1853, he sailed from New York on board the *Crescent City* for Panama, whence taking passage in the *Golden Gate*, he arrived in San Francisco June 1, 1853. Mr. Black located at once in Alvarado, Alameda County, and subsequently purchasing the farm now owned by S. P. Harvey, there prosecuted agriculture until 1859. Disposing of the ranch in that year he moved to Dublin, Murray Township, followed farming on the Dougherty Ranch, and was the first, in point of fact, to till the ground in that locality. In 1863 he transferred his operations to the

Bernal Rancho, where he has since engaged in raising grain. In 1866 Mr. Black purchased the interests of Juan, Raphilo, and Joaquin Bernal in the Rancho El Valle de San José, consisting of seven thousand seven hundred acres, plots one, two, twenty-six, thirty-three, and thirty-four of which he has retained and laid subject to the plow. Mr. Black, besides his large grain-growing enterprises, has thirty-five acres of land planted with vines, now of two years' growth, being the first vineyard of any importance in the Livermore Valley, while he is laying out in the same manner one hundred and fifty acres more this year, and building a series of fine wine-cellar. Mr. Black has also twenty-five acres in hops, which he has found a profitable venture. Has subdivided and sold this year over twelve hundred acres for grapes in subdivisions from seven to two hundred acres, and with the assistance of Charles A. Wetmore, Chief Viticulture officer, has succeeded in establishing on the Arroyo Valle what promises to be the best dry-wine district in the State. He married, in the residence of Greene Patterson, Alameda County, California, in the year 1865, Miss Mary E. Simpson, a native of Independence, Missouri, by which union there are five children, viz.: Mary, Kate, Joseph, Ellis, and Frank.

WILLIAM CLARK BLACKWOOD.—The subject of this sketch, whose portrait appears in this history, is the son of Samuel and Mary (McMordy) Blackwood, and was born in Seneca County, New York, June 7, 1813, being the youngest of seven sons—no daughters. Having received a common school education and worked on a farm until the year 1836, he emigrated to Michigan and settled near the town of Farmington, Oakland County, where he followed farming for ten years. In 1846 Mr. Blackwood embarked in the milling business in Wayne, in the same State, and there remained until starting for California. Making the journey by way of New Orleans and Chagres, he arrived in San Francisco by the steamer *Union*, June 26, 1851. After prospecting some months, in October of that year he came to the redwoods, which then stood uncut above Brooklyn, or East Oakland, where he remained until the following January (1852), when he removed to Eden Township and began farming, which he continued until 1878. Mr. Blackwood now gives his attention to fruit-growing, he having an orchard of sixty acres under apricots, plums, prunes, etc. Married, firstly, in September, 1835, Miss Elizabeth J. Woodward, who died in April, 1850, leaving four children, viz.: Samuel W., Sarah E., Mary F., and Clementine; and, secondly, Miss Jane Evert, by which union there is one daughter named Lucy; and, thirdly, Miss Elizabeth Craig. His son was educated a physician and surgeon, and served as such with distinction in the Union Army during the Civil War, and was breveted a Lieutenant-Colonel in the Army of the United States for distinguished professional services by President Johnson. He died October, 1871, in Peru, while professionally employed as Superintendent of Railroad Hospitals in that republic by the celebrated Harry Meigs.

ROBERT BLACOW (deceased).—This gentleman, whose portrait will be found in our pages, was born in England, December 6, 1814, and resided there until he attained the age of twenty-five years. In 1839 he emigrated to the United States, and settled in Illinois, in what was known as the "American Bottoms," opposite the city of St. Louis. Here he maintained a residence until 1842-3, when he moved and located in the outskirts of St. Louis, there engaging in general farming and dairying, his business being to supply the inhabitants of the city with milk. On June 5, 1845, he was united in matrimony to Miss Helen Catharine Deering, a native of Germany, and four years thereafter, in 1849, emigrated *via* the Isthmus of Panama to California. On landing, Mr. Blacow at once proceeded to the mines, where he remained until the fall of 1851, when he took up the homestead, now consisting of three hundred and fifty-eight acres, at present occupied by his widow. Immediately after locating his claim in 1853, Mr. Blacow returned to Illinois, where he had left his wife and three children, and fitting up an outfit crossed the plains to California, and took up his residence in their new home in Alameda County. Here he died December 22, 1873, leaving the following family: William, Alice, Mary, Alfred, and Richard.

CAPTAIN GEORGE WILLIAM BOND.—Was born in Yarmouth, Nova Scotia, July 19, 1804, where he resided until the year 1821, when, with his brother, who was a physician and an invalid, he made his first voyage to the West Indies. It was his parents' wish that he should study for the medical profession, but after a few months' trial, and death of his brother he gave up that study, and for several years after was engaged with his brother-in-law in merchandising, the West India trade, and in ship-building. On coming of age he gave up this business, and shortly after purchased a brigantine and commenced a seafaring life in earnest, principally in the West India trade. In the year 1832 he married Frances Gertrude, the eldest daughter of Richard Carter, of Cheshire, England, and having sold his brig he again tried a mercantile life, but after a few years and not succeeding he gave it up and returned to a seafaring life, which he followed until the year 1847, when, having lost his wife, while absent on the West Coast of Africa, he returned in 1848 to Nova Scotia. In 1849, he with four others, purchased and fitted out a brigantine and left Yarmouth for California, arriving at the latter place in July, 1850, having called at Rio de Janeiro and Valparaiso. After a voyage down south he sold his vessel, and in the year 1851 went to a rancho near Vallejo's Mills, on the Alameda Creek. In the spring of 1852 he went to the mines on the north fork of the American River, but returned in a few months, and in the fall of the same year, in partnership with Charles Hilton, erected at the place now called Centreville the first wheelright and blacksmith shops in the county, but the following year sold out his interest to James Beazell; from that time until 1860 he was engaged in various occupations with the late Captain Calvin Valpey, purchasing in the latter year a part of Agua Caliente Rancho, on which Captain Valpey resided until his death, but Bond continuing to reside on his property at Centreville, engaged in various occupations, and holding for several years the offices of Postmaster, Justice of the Peace, and Notary Public. In the year 1882 he, with his son Charles, purchased the well-known William Y. Horner Rancho, where he now resides with his son, having rented his property at Centreville. He was married at Neston Church, Cheshire, England, on the 28th day of August, 1832, his wife dying on the 20th day of April, 1847, leaving five children: Eliza Carter (now Mrs. Bingay, residing at Sacramento); Sarah Gertrude (now Mrs. Vroom, residing at St. Johns, New Brunswick); Charles John; Maria (now Mrs. Pope, residing at Sacramento), and Annie Ritchie (now Mrs. Marston, residing in Eastern Oregon).

CHRISTIAN BOTHSOW (deceased).—Was born in the Island of Alse, Denmark, August 6, 1825. Having followed the life of a sailor until he attained the age of twenty-one years, he then returned to his home, there remained two years, and afterwards learned the trade of ship-carpenter, at which he worked on board of different vessels until his arrival in California. First settling in Union City, near Alvarado, he there remained until 1852, when he located upon the farm of one hundred and sixty acres, where his family now resides. Married February 16, 1856, Miss Jane Hendry, a native of Morayshire, Scotland, by which union there is a family of three children, viz.: Henry N., Anna Christina, and Harriet E. Mr. Bothsow died November 20, 1879.

WILLIAM J. BOWEN.—Was born at Fall River, Bristol County, Massachusetts, March 14, 1817, and at seventeen years of age entered upon a seafaring life, at which he continued thirteen years, his last voyage being made in the ship *Edward*, in the year 1839, to a Peruvian port. At the end of this cruise he took up his residence in the Society Islands, where he was engaged for about five years in command of vessels plying in the South Seas. He then made an attempt to come to California, in a vessel built there by himself, but owing to a disagreement with his partner the trip was abandoned, and the craft sold. He then shipped in the schooner *Currency Lass*, and after going to the Sandwich Islands, came on to San Francisco, and made an attempt to establish a lumber trade with Bodega, Sonoma County, but was not allowed to land the cargo in San Francisco, his vessel being under a French protective

flag; he, therefore, returned to the Sandwich Islands, loaded for San Francisco once more, but on arrival found that the market was glutted, so he returned with his freight to the Islands. Mr. Bowen thence sailed to the friendly shores of the Society Islands. Now came the discovery of gold in California, therefore he brought the *Sackety Hawk*, with passengers. He now engaged in the lumber trade with Bodega, and having had his craft driven on shore, eventually got her off after seventeen days passed in discharging her cargo, aided by Capt. Juan Smith and his Indians. The vessel was sold to a man named Phelps, who never paid for her, but some legal difficulty intervening, Mr. Bowen turned her over to the Justice of the Peace, and in May, 1849, betook himself to the mines, where for five months he was very fortunate. He now returned to the Bay City, purchased an interest in the brig *Sabine*, and in her made a voyage to Australia, and on his return suffered shipwreck on a reef at the Navigators' Islands. Here he was placed in command of a vessel that had been stolen in the harbor of Sydney, whither he returned with her. At this place Mr. Bowen married, returned to San Francisco, and took up his residence at Saucelito, Marin County. At the end of three years he removed to San Francisco, but six months thereafter crossed to Ocean View (now West Berkeley), and in 1853 built the first hotel in that place, in which business he remained twenty-three years. He is now engaged in the wood and coal business at the corner of Delaware Street and San Pablo Avenue.

B. F. BRANNAN.—Was born in Jackson County, Indiana, August 8, 1833. In 1851 he went west to Tama County, Iowa, and was a resident of that State sixteen years. In 1867 he emigrated, *via* Panama, to the Pacific Coast, came to Alameda County, and located on the place now owned by George Beck, about five miles north of Livermore. In 1878 he purchased his present homestead, adjoining that town, consisting of forty acres. Is married, and has two children, Florence and Maud.

JAMES A. BREWER.—Was born in Oneida County, New York, November 29, 1834, where he received his schooling, and resided until the spring of 1852, being up to that time engaged in farming. In the season just mentioned he turned towards the west, and, proceeding to Wisconsin, was there employed in the construction of the railroad between Janesville and Monroe. At the end of eighteen months Mr. Brewer removed to Kansas, and there maintained a domicile until starting for California. In March, 1856, he essayed the arduous journey across the plains with horse-teams, and, coming direct to Alameda County, located at Washington Corners in July, 1856. Here he engaged in farming, an occupation he has since followed at that place. During his residence in Kansas Mr. Brewer held the office of County Surveyor of Atchison County, which position he held until leaving for the Pacific Coast. Married, 11th of October, 1866, Mrs. Maria Ann (widow of J. R. McDavid, who was a well-known farmer of Washington Township, died June 21, 1861, and left four children, Volunia A., Julia L., Troy C., and John R.), and has two children, viz.: James M. and Henry C.

EDWARD BROWN.—Was born November 11, 1839, in Bridgenorth, England; was educated and lived in Wymondham, Leicestershire, until appointed to a position in a railway office in London, where he remained until March 29, 1863, at which date he sailed for New York. Very shortly afterwards he went into the service of the Mutual Life Insurance Company of New York, and in April, 1865, was appointed agent of that company for Lancaster County, Pennsylvania. In 1868 he organized the Lancaster Fire Insurance Company; capital, \$200,000; and acted as its Secretary until November, 1871; when La Caisse Générale—a Paris Fire Office—established an American Branch, Mr. Brown was appointed Superintendent of Agencies. In January, 1875, he was sent to San Francisco to establish a business upon the Pacific Coast for the said company. On May 1, 1878, the firm of Brown, Craig & Co.—Mr. Homer A. Craig of Oakland being the other partner—was formed, their office being at No. 215 Sansome Street, where it has ever since remained. Mr. Brown resides in Alameda, is married, and has five children.

HON. LEWIS HENRY BROWN.—The subject of this sketch, whose portrait appears in this work, is a native of Haywards, Alameda County, California, was born March 24, 1857, and is the son of George and Fidelia (Larabee) Brown. The father of the young legislator, whose name commences this short memoir, was born in the State of Maine, and in an early day made the weary and hazardous voyage to California in a small craft, coming through the rock-bound coast and tempestuous waters of the much dreaded Straits of Magellan. On arrival he located near Alvarado, and commenced farming operations, but subsequently proceeding to the redwoods of San Mateo County, there stayed only a short time, and finally proceeded to the "Iron House" District, Contra Costa County, where he opened a store of general merchandise, and resided there until the spring of 1856, when he returned to Alameda County, located at Haywards, opened a mercantile business in a small building near Haywards' Hotel, and conducted it until 1880, when he sold his interest to his son, Lewis H. Brown, retiring from business on account of ill-health. Mr. Brown, Senior, died August 2, 1880, at the age of fifty-six years. Our subject, Hon. L. H. Brown, was entirely educated at the common school of Haywards, his present position being both an honor to the institution wherein he received his training and the application for study which it proclaims for himself. At the age of fifteen years he commenced business on his own account, first in insurance connections and afterwards in newspaper work. In two years from the start he was appointed to take charge of the agency of Wells, Fargo & Co., and likewise engaged successfully in the fruit trade. In 1877 he formed a partnership with William G. Long, and purchased the store occupied by his father, but a few months thereafter Mr. Long seceding from the firm, his interest was bought by Mr. Brown, Senior, and the firm of George Brown & Son was established, they owning at the time half of the block on which the store is located. Being a native of the county, and, above all, possessed of strong sense and good business qualifications, it is no wonder that he received the Republican nomination by acclamation, which resulted in his election to the State Legislature as a member of the Assembly for Alameda County, on November 7, 1882. His record in the capitol is such as any one of more years may be proud, while his actions have received the cordial approbation of his constituents. In 1879 Mr. Brown was appointed to fill the vacant office of Town Treasurer of Haywards, to which position he has since been annually re-elected. In that year, too, he was elected a Trustee of the town of Haywards. He is a member of the Oakland Chapter of Royal Arch Masons, and Master of the Masonic Blue Lodge of Haywards, and also Past Grand of the Lodge of Odd Fellows in Haywards; is also a member of the Knights of Honor, and as well as Past Worthy Chief of the Good Templars Lodge of Haywards. From the foregoing it will be gathered that Mr. Brown is foremost in all public and social institutions of his native town. His career is watched with interest by all who know him, while it requires no great seer to predict that in old age his brow will be decked with the laurel chaplet of fame, bearing the appropriate legend—*palmam qui meruit ferat*. Married, November 19, 1878, Miss Willitta Long, a native of Thomaston, Maine, and has one son, viz., George Chester, now aged three years.

SAMUEL R. BROWN.—Was born in Upper Canada February 9, 1818, where he learned the miller's trade with his father in the town of Malahide. Here he resided until he became thirty-four years of age. Early in the year 1852 he sailed from New York for California in the ship *Grecian*, and after rounding Cape Horn came to an anchor in San Francisco Harbor August 12, 1852. Proceeding at once to the mines in Nevada County, he there remained but a short time, when, being attacked with fever, he was compelled for a time to abandon this occupation. The intervening five years, up till 1857, he passed in different parts of the State, and in November of that year came to Alameda County and found employment with Musser & McClure, and remained there until 1863. In that year he purchased his present hotel property, and commenced conducting the house of entertainment at Washington Corners known

as Brown's Hotel. Here he at present resides. Married August 17, 1863, to Miss Mary Langton, a native of Ireland, and has two children, viz.: Silvia A., and James W.

DR. BENJAMIN FRANKLIN BUCKNELL, (deceased).—Was born in the town of Hiram, State of Maine, in the month of October, 1821. Losing his father at the early age of five years, he was left with three sisters to the care of his mother; who, finding it difficult to support and properly rear so large a family, gave him soon after his father's death, to her sister's husband, a farmer living in an adjoining town. The farmer with little regard to his tender years and delicate constitution, required very hard work from him, infant as he was, during the summer months, but allowed him to attend the public schools in winter. Being a good scholar and very ambitious; he determined to have a better education than it was possible to obtain where he was; he left his uncle, despite his efforts to retain him, at the age of fourteen, and entered the Manual Laboring School in Readfield, Maine, where he remained about three years, receiving some aid from two of his mother's brothers, residents of Readfield, and much kindness from the wife of one of his uncles, which he always remembered with great gratitude. When seventeen years old, he commenced teaching during the autumn and winter months, thereby earning money to defray the expense of studying during the remainder of the year. When about nineteen he began the study of medicine with Dr. Potter of Waterville, but failing health, and the fear of consumption, inherited from his father, obliged him to seek a milder climate. He went to Savannah, and afterwards to Florida, teaching and still pursuing the study of medicine. Three years later, finding his health much improved, he returned to New England and entered the Medical School at Dartmouth College, from which he graduated in 1846 and commenced the practice of his profession soon after in his native town. The following year he was married to Miss Martha E. Lincoln of Cornish, Maine. The Doctor's ambition soon led him to seek a larger and more lucrative practice, and he went to take the place of a physician recently moved from Machias, Maine. Here he found an abundance of work, but his health never robust soon failed rapidly. He took a young physician as partner, hoping thereby to be able to remain, but a return of hemorrhage from the lungs again drove him to seek a more genial clime, and on the 4th of November, 1850, accompanied by his wife and sister, he sailed in the brig *Agate* bound for San Francisco. During the voyage of six months his health seemed quite restored, he having gained sixty-eight pounds in flesh, and on reaching San Francisco, April 24th, he concluded to commence the practice of his profession in that city. Six months later a return of his old pulmonary troubles convinced him that he could not long endure the cold winds of the bay. He visited Alameda County in quest of business, where the wind was said to be less severe; meeting with John M. Horner, he obtained from him the agency of a steamboat, which was to run daily from Union City (now Alvarado) to San Francisco and back, loaded with vegetables and other produce raised by Mr. Horner, and the farmers in the vicinity. Here Dr. Bucknell established a post-office, got an appointment as Justice of the Peace; and besides attending daily to the loading and unloading of the steamboat, he discharged the duties of these offices, occasionally performing the marriage ceremony for those who could not obtain a minister's services; in addition to all this he went to attend the sick whenever called, and as he spoke Spanish, he soon received calls to visit the afflicted in most of the Spanish families in that part of the county. In 1852 and 1853 he suffered so much from rheumatism, that he concluded to leave Alvarado and try the interior of the State, and he moved to Marysville, but after living one year in the city, and another year on a ranch near the city, he was prostrated with malarial fever, and returned to Alameda County, this time to the Mission of San Jose, where he received much kindness from Mr. and Mrs. Lyman Beard; soon afterwards he purchased from Mr. Combs a farm of two hundred and forty acres, between Washington and Centreville, and in September moved into the farmhouse which Mr. Combs had built for his own family, which was quite commodious and comfortable. During all these changes and wanderings Dr. Bucknell had been

accompanied by his wife, and in this farm-house, Feb. 25, 1856, their first child, a daughter, was born. Her name was Frances. The doctor was exceedingly fond of this child, and after she attained the age of one year, she could be seen seated by his side during most of his rides about the neighborhood. In September, 1858, a second daughter was born. About this time his mother, who had come to California two years previous, became an invalid, and died the following autumn. Her death was a great blow to the doctor, and his own health failed rapidly afterwards. Inherited consumption which for more than half his life he had been battling against, could no longer be kept at bay, and he sank beneath its power, dying April 19, 1860. His wife and children remained upon the farm two years after his death. During the winter of 1862-63 they were in San Francisco, where the youngest child fell a victim to measles, which was at the time prevailing as an epidemic. The following autumn Mrs. Bucknell with her only child went to New England to visit her mother, and having always felt great interest in her husband's profession, determined to study the same herself. The following winter she entered the Woman's Medical College in Boston, and three years after graduated. She intended to return immediately to California, but her aged mother was still living, and she could not make up her mind to go so far away as long as her mother lived, consequently she went to Portland, Maine, and practiced for three years in that city; her mother died about this time, and she returned to California, since when she has practiced her profession in San Francisco and Oakland. She is a member of the State Medical Society of California, also a member of the Alameda County Medical Society. Her present residence is No. 616 Eighth Street, Oakland, which is also the residence of her daughter, now the wife of I. W. Reed. From her daughter Mrs. Bucknell has never been separated at any time since her birth except for about four months, soon after her marriage.

DIEDERICH BUHSEN.—The subject of this sketch, whose portrait appears in this work, was born in Holstein, Germany, August 26, 1820, and is the son of Claus and Catharine (Rhoda) Buhsen. Having received his schooling, and had his home there until 1839, in which year he began a seafaring life, an occupation which brought him to the United States in the following year, where he was vicariously employed in coasting-vessels, and ocean-going steamers and ships until the year 1843, when, in company with his brother Nicholas Buhsen, he embarked in the grocery and liquor business in the city of New York. There he remained till 1858, when, taking passage on the *Star of the West*, he sailed to the Isthmus of Panama *en route* for California, arriving in San Francisco upon *Golden Age*, March 22, 1858. Proceeding to Sierra County he there prospected for a short time, and, upon the breaking out of the Frazer River excitement, went to British Columbia. He subsequently returned to California and farmed for a short time near Mount Eden, but eventually transferred his habitation to San Francisco, where he embarked in a general freighting business, and continued it until 1860. He now opened a bakery at the corner of Broadway and Battery Street, in that city, but shortly afterwards transferred it to the corner of Pacific and Davis Streets. In July, 1864, purchasing property in West Oakland, Mr. Buhsen erected a small dwelling thereupon on the site of his present store, which was destroyed by fire in 1876, when he erected his present place of business at the corner of Pine and Seventh Streets. Besides this establishment he owns considerable property in the vicinity. Married, August 26, 1848, Miss Anna Bockwaldt, by whom he has surviving two children, viz.: Eda, and A. Nicholas.

EDWIN E. BURDICK.—Was born in Stonington, New London County, Connecticut, March 11, 1829, where he was employed on his father's farm, and a portion of the time at the blacksmith's trade until 1846, when he joined a wrecking-vessel, but she being lost off Cape Fear he was landed at Wilmington, North Carolina, where he commenced working at his trade, and stayed one winter. In March, 1853, he sailed from New York in the *Crescent City* to Aspinwall, and from Panama came to San Francisco in the *Oregon*, where he arrived on the 27th of the following month. After

a few weeks he proceeded to Grass Valley, but soon after came to Alameda County and obtained employment with H. K. W. Clarke, on the place he now occupies. He then worked in different places and finally leased one hundred and thirty acres of land belonging to the South Pacific Coast Railroad, where he at present resides, being engaged in general farming. He is married and has five children, viz.: Abbie L., Edward F., Charles H., Henry H., Mary L.

JOHN F. BURDICK, M. D.—Son of the Rev. James R. and Mrs. Anna (Babcock) Burdick, was born in Ithaca, Tompkins County, New York, September 25, 1849. Having received his education in the Cornell University, in 1869 he entered upon the study of medicine at Ann Arbor, Michigan, whence he was graduated in 1872. He now returned to the county of his birth and commenced the practice of his profession, which he continued until 1876, when he came to Oakland, Alameda County, and practiced there until appointed by the Board of Supervisors Physician to the County Infirmary in December, 1878, a position he now holds. Married in March, 1882, Miss Carrie Hebbard.

WILL. H. BURRALL.—Was born in Herkimer County, New York, May 4, 1835, and there resided until 1849, in which year he emigrated to Wisconsin and settled in Kenosha County, being engaged in farming there until 1854, when he removed to Winona, Minnesota, where he was engaged in the hardware trade; thence, at the end of three years, going to Illinois and teaching school near Chicago until 1859, when he emigrated to Nevada, and located in Virginia City, where he engaged in mining and the book and stationery business until April, 1874, at which date he removed with his family to Napa City, California, residing there until August, 1876, when he came to Alameda County, locating in Oakland, and embarking in the real estate business. He has been a notary public for fourteen years. Married in San Francisco in 1863, Miss Sarah A. Marsh, a native of the State of New York, then residing in Waukegan, Illinois, and has four daughters, viz.: Millie, Jessie, Lucia, and Belle; aged respectively, seventeen, fifteen, thirteen, and eleven; all born in Virginia City, Nevada. Their only son, Ralph, having died there in 1868.

FRED. L. BUTTON.—Born in Pontiac, Michigan, in March, 1856. In 1863 came to California with his parents, who, in the autumn of that year, settled in Oakland. Attended the primary and grammar schools of that city; in 1868, awaiting the establishment of a high school, was for a few months in the office of the *Daily Transcript*, learning the printer's trade, and also attended the Brayton College School. Completed the course of study at the High School and State University at Berkeley, graduated from this last institution in 1876, receiving the University gold medal for general excellence in scholarship and also the prize for the most meritorious scientific essay. Having at that time served a year as assistant instructor in mathematics under appointment by the Regents of the University, he continued in that position during the succeeding year. At the end of this time he commenced the study of law in the office of Messrs. Vrooman and Davis; Mr. Vrooman then being District Attorney of Alameda County. Here he availed himself of the ample opportunities offered for acquiring extended practical experience in all branches of his profession, and in 1879 was admitted to practice in the Supreme Court. Soon after established a law office in Oakland, where, by his studious habits, careful attention to professional duties, and known personal integrity, he has built up a lucrative practice and taken a prominent position among the younger members of the Bar.

N. B. BYRNE.—Was born in Cape Girardeau County, Missouri, November 2, 1817, where he resided until he attained the age of fourteen years, at which time he accompanied his parents to New Madrid County, in the same State; there making his home until leaving for the Pacific Slope. In March, 1859, accompanied by his wife and four children, he started with ox-teams, and a drove of cattle, to cross the plains to California, finally arriving in Oakland, Alameda County, in the month of September of that year. A month afterwards he moved to North Berkeley and farmed

until 1873, when land there becoming too valuable for farming he removed to the San Joaquin Valley and engaged in a similar pursuit, and finding that unprofitable he, in 1880, returned to Berkeley and embarked in his present business of wood and coal dealer, on University Avenue. Married July 19, 1849, Miss Mary Tanner, a native of New Madrid, and has six children.

DUNCAN CAMERON.—The subject of this sketch is a descendant of a long line of Scottish chivalry, and belongs to that clan which claims Lochiel for its chieftain. He is the son of Samuel and Sarah (Pullen) Cameron, and was born in Canada June 22, 1820. Receiving his early training in his native place and there residing until 1838, in that year he went to Clintonville, Essex County, New York, and after a residence of ten months there, returned home, and subsequently removed to the State of Vermont. Our subject after a short time proceeded to the State of New York, and dwelt until the year 1845 at Ticonderoga, Essex County, at which time he took up his quarters in New York City and commenced boating on the Hudson River. Mr. Cameron next "went to sea" and while in the capacity of a sailor heard of the wonderful gold discoveries in California, upon which he determined to tempt that fickle jade, Fortune, at the mines. To this end he rounded the "Horn," and cast anchor in the bay of San Francisco, September 24, 1850, having twice suffered shipwreck on the voyage. The motto of this enterprising gentleman has ever been "to be up and doing;" losing no time, therefore, he shipped as a fireman for service on the Sacramento River, but making only two trips, he betook himself to *terra firma* and embarked in the grocery trade. In January, 1851, he moved to the Pacheco Valley (now Contra Costa County) and embarked in farming operations, but only remaining there a few months, returned to San Francisco and opened a saloon, which abandoning, he worked as fireman on a steamer plying between San Francisco and Sacramento. In that year (1851) Sacramento was visited by a great flood, a disaster to others which Mr. Cameron quickly turned to his own advantage. As long as the waters covered the face of the district our subject plied a boat along its inundated streets and on their subsidence he embarked in a draying business. Disliking the place on account of its unhealthfulness, he sought another location and pitched upon the little village of San Antonio, which now forms a portion of Brooklyn, or East Oakland, which place he reached by way of Martinez, on horseback. Here he started the first livery-stable in the place, with three horses, which he kept in a yard. The livery business prospered, and in 1853 he built a large stable and had eight or ten horses. In about a year, however, he sold out, and in 1854, purchased a piece of property, and building upon it a residence, prepared to make that place his permanent home. About this time he bought the valuable block on which the post-office in Oakland now stands, and in 1854 espoused Miss Anne Lydia Maddox of Castro Valley, a native of the State of Illinois. In 1856 Mr. Cameron started in the stage business in opposition to that run by McLaughlin, then a famous local line. In 1858 he bought a quantity of land for farming purposes, which, however, he partly disposed of in 1861. Previous to the real estate excitement of 1868, he purchased a tract of land north of the town of Brooklyn, or East Oakland, known as the Cameron Tract, for eighteen thousand dollars, which he disposed of within a year for fifty thousand dollars. Mr. Cameron has filled various public positions from constable upwards. He has been twice elected to the Board of Supervisors of Alameda County, and has filled with credit the position of Public Administrator of the county for two terms. He has always taken an active part in politics, and was in succession a Whig and a Republican. His family consists of a daughter and son named, Nellie E., and Ashley D. An excellent portrait of this gentleman will be found in this volume.

EDWIN H. CAMPBELL.—Is the son of S. G. and Elmira (Cook) Campbell, and was born in Westfield, Massachusetts, April 10, 1850, but when five or six years old was taken by his parents to Dixon, Illinois, where he resided until he attained the age of fifteen years. At that period of his existence he launched out to face the buffet-

ings of the world. He followed different occupations up till 1870, when he came to California, located in Sacramento, and in 1874 removed to Oakland, where he has since been engaged in the wine and liquor business, and is at present the popular proprietor of the Galindo Billiard Parlors on Eighth Street. Married in 1879, Miss Annie Bain, a native of Minnesota, and has no issue.

TALLCUT P. CAREY.—This gentleman is the son of L. H. and Lucy (Doolittle) Carey, and was born in Boston, Erie County, New York, April 11, 1828. His grandfather, Richard Carey, fought for seven years in the ranks of the Revolutionary Army, and had a son who fell fighting for the liberty of his country in the year 1813, in a hand-to-hand combat with four Indians at the burning of Buffalo, New York. Our subject resided with his parents until he reached the age of twenty-three years, and there, in his native town, received his education. On January 7, 1852, he sailed from New York in the steamer *Cherokee* to Chagres, whence he found his way to Panama and thence took passage in a sailing-vessel, the brig *Christiania*, arriving in San Francisco on the 7th April of that year. Proceeding immediately to Chinese Camp, Tuolumne County, he there commenced mining, which, however, he abandoned a few weeks later for stock-raising in what is now a portion of Stanislaus County. Here he remained until the year 1878, when, owing to failing health, he leased his range and came to Alameda County, locating at San Leandro. Mr. Carey's possessions in the two counties, Merced and Stanislaus, amount to three thousand acres of land. Married, December 23, 1856, Miss Elizabeth J. McGee, a native of Missouri, and has three surviving children, viz.: Lucy, Maggie, and A. B.

DANIEL S. CARPENTER.—The present efficient and popular Tax Collector of Contra Costa County, was born in Newport, Herkimer County, New York, November 18, 1831. He resided on a farm and was educated at the common schools until 1852. March 5th of that year our subject with one cousin started for California, sailing from New York *via* Central America, arriving in San Francisco April 10th of the same year. Mr. Carpenter immediately proceeded to Sacramento to join a brother who had preceded him to this coast, and remained in the latter place until fall, when he proceeded to Trinity County, where he engaged in mining for two years, meeting with good success. Mr. Carpenter next moved to Auburn, Placer County, and followed several occupations, at one time being Deputy Sheriff of said county, and afterwards engaged in tunnel-mining at Iowa Hill, where he met with financial reverses, and concluded to try agricultural pursuits and selected Contra Costa as his base of future operations. He first located in New York Valley, where he resided until dispossessed by the owners of the New York grant. We next find Mr. Carpenter located on the San Joaquin on the place now occupied by the Empire Mine, and engaged in the mining business for two summers. He then moved to a ranch six miles from Martinez, where he resided but a short time, and in the fall of 1860 moved to where he now resides, at Clayton. Mr. Carpenter was Justice of the Peace of Clayton for a term of ten years, and October 3, 1881, was appointed by the Board of Supervisors to the office of Tax Collector to fill the vacancy caused by the death of Mr. Shuey. The subject of our sketch was united in marriage in Clayton, November 19, 1863, to Miss Sarah F. Curry, a native of Missouri. They have eight children, viz.: William L., Charles B., Alice M., Nellie E., Daniel S., Myron E., Clarence M., and Annie F.

H. K. CARTER.—Was born in the town of Tully, Onondaga County, New York, March 22, 1826. In the spring of 1840 his father, Philip Carter, with his family moved to Fort Brewerton, town of Cicero, in the same county, and engaged in the business of tanning and farming, which he had previously carried on from the spring of 1840 until 1856. Mr. Carter engaged in tanning and the wood and lumber trade, but in the fall of the latter year his tannery was burnt, and meeting with heavy losses during the following year in the great financial crash in the State of New York, he determined to try his luck on the Pacific Coast. Coming to California in the spring of 1858, he went to Olympia, Washington Territory, and there associating himself

with James Biles, built a tannery and was the first to introduce steam and machinery in that industry on the coast. In the fall of 1860, he returned to San Francisco and opened a finishing and leather store which he continued until 1862, when he went into the stock and money brokers' business until 1864. A portion of this and the year 1865, he passed in Oregon, and Washington Territory, buying wheat, potatoes, etc., for the San Francisco market. In the fall of 1865 he once more embarked in the tanning trade in San Francisco, which he abandoned in the fall of 1867, since when he has been engaged in the fruit and agriculture business, chiefly in Contra Costa and Alameda Counties. Married in Fort Brewerton, Onondaga County, New York, October 21, 1852, Miss Hester A. R., daughter of Rev. E. D. Trakey, and has had two children: LeRoy T., and a daughter, deceased.

Z. D. CHENEY.—Was born in Cortland County, New York, July 20, 1850. In the month of November, 1853, his parents sailing for the Pacific Coast, along with three sisters and two brothers, our subject was brought to California, *via* Panama, arriving in San Francisco, January 12, 1854. Coming direct to Alameda County Mr. Cheney, Senior, located on the land now owned by A. E. Rankin of Alvarado, while the subject of this sketch commenced his scholastic training, subsequently finishing at McClure's Military College in Oakland. In 1869 he proceeded to Carson City, Nevada, and found employment in a wholesale store, at the end of three years, however, he returned to Alameda County and embarked in agricultural pursuits near Centreville, where he resided until March, 1880. At that time he transferred his residence to Livermore, engaged in stock-raising, and thus continued until February 1882, when he opened his present store for groceries, provisions and gents' furnishing goods at the corner of K and First Streets. Mr. Cheney married in Centreville, Alameda County, California, Miss Annie E. Caffall, a native of England, and has three sons, viz.: Charles, Lewis, and William.

ANTHONY CHABOT.—This gentleman, among the most enterprising of California's citizens, whose portrait will be found in this work, was born and reared on a farm near St. Hyacinth, Canada, his father being a farmer. At the age of sixteen years he left home to face the world and engaged in various kinds of businesses with fair results until 1849, when he came to California and embarked in mining for about ten years in Nevada City with good success, being at the same time interested in building ditches to supply the mines with water. In 1854 he built and was owner as well, of two saw-mills in Sierra County. In the year 1856 Mr. Chabot determined to abandon the mines for some other kind of life; he therefore proceeded to San Francisco and commenced investigating into the possibility of supplying that city with water. Finding the scheme in every way most feasible, he at once entered into arrangements with John Bensley and A. W. Van Schmidt, to bring the waters of Lobos Creek into San Francisco. After much litigation about property and water rights, difficulties were eventually surmounted, and in 1858 the supply of water was commenced, and has since been continued. At the same time his mining and other business affairs progressed in a most satisfactory manner. In 1866 Mr. Chabot began to build the water-works to supply the city of Oakland, the liquid for which was first obtained from the Temescal Creek; in 1875, however, the waters of the San Leandro Creek were condemned, and from the lake that has been built there comes the main supply, it being distributed through one hundred and twenty-five miles of pipe, and when finished will have a capacity of fifteen thousand million gallons, while should the necessity arise, it is in contemplation to increase the supply from the water-shed in the vicinity of Pleasanton. Until 1875 Mr. Chabot was the sole owner of the water supply of Oakland, but in that year he disposed of a portion of his stock, still retaining, however, upwards of one-half of the interest. In or about 1869, in company with Mr. McKenzie, Mr. Chabot built water-works for the city of San José; and about the same time constructed those for the supply of Vallejo, which latter he still owns. Besides these he was engaged in many and various affairs; indeed, his life from his arrival in California

has been one of unvarying business activity. He, at present, has large interests in the paper-mill at Stockton, San Joaquin County; the Judson Manufacturing Company in Oakland; the Pioneer Pulp Mill Company near Alta, Placer County, where machinery is now being erected for the manufacture of box or card board made from wood and used for lining and roofing houses, book-covers, etc.; the Puget Sound Iron Company, which is in successful operation about six miles from Port Townsend; and he is now preparing a large tract of land in Washington Territory for the cultivation of cranberries; while he is still interested in mining, all of which have proved satisfactory investments. Mr. Chabot also took a prominent part in the founding of the Old Ladies' Home in Oakland, while his last gift to the city is the observatory now building on Lafayette Square, the telescope for which is being manufactured by Alvin Clark & Son, of Cambridgeport, Massachusetts, and which will be completed in or about the month of August, 1883. Through his life of ceaseless vigor Mr. Chabot has found time to exercise an unstinting charity; many are those whom he has helped with the "sinews of war" to aid them upwards. He, perhaps, has done more than any of Oakland's wealthy citizens, to bring business enterprises to her; his energy has ever been devoted on the side of progress, and it is to him in no small degree that she now boasts the possession of two of the greatest industries on the Pacific Coast. His deeds will live in the future; on his works should be inscribed the motto *Monumentum ere perennius*—A monument more lasting than bronze.

AUGUSTUS M. CHURCH.—This much respected pioneer of Alameda County, whose portrait appears in this work, was born in Allen's Hill, town of Richmond, Ontario County, New York, June 19, 1816, and is the eldest surviving son of Lovett and Sally (Boyd) Church. Having resided in his birthplace until 1831, in that year our subject launched forth to face the world, and first found employment in a hardware store in Canandaigua. A twelvemonth later he entered the post-office as clerk, and the year after took charge of that office in Lockport, Niagara County, New York. In 1834 he entered the bank of L. A. Spaulding in that place, where he remained two years. We next find him in the Canal Collector's office of Judge McKane, and in the winter of 1837-38 he proceeded to Chicago to take charge of and sell out a stock of goods for the Bank of Washtenaw, Ann Arbor, which completing, he proceeded to Ottawa, and was there interested in the construction of the Illinois and Michigan Canal, as well as in mercantile operations. In 1839 he moved to Berrien County, Michigan, where in May, he was joined in matrimony to Miss Ellen Cronkhite, a native of the State of New York, and that fall proceeded to Dubuque, Iowa, and embarked in a mercantile business in Bellevue, on the Mississippi, twenty-five miles below the first-named city. At this period the district was infested by a gang of horse-thieves and counterfeiters with a man named Brown as their leader, who were perpetrating their rascally actions and apparently without opposition. This defiance of law and order, however, the well-disposed citizens could not brook, therefore, on the morning of April 1, 1840, a meeting of the inhabitants of the town and county was convened, when it was determined to resort to extreme measures to deliver them from the depredations of this pestiferous crew. Brown and his gang fortified themselves, but were captured after considerable resistance by about a hundred citizens, who forthwith sent them out of the district down the mighty Father of Waters on a raft. In these events Mr. Church took a prominent part, and afterwards, returning to Berrien County, opened a hotel in Whitmanville, Cass County, which he conducted for two years. In 1842 he transferred his habitation to St. Joseph, where, he combined trading with hotel-keeping until 1844-45, when he removed to Saint Mary's Rapids, and managed a hotel there for eighteen months. In 1847 he returned to St. Joseph and resumed his former business and there resided until the ever-memorable year of 1849. Now, the slogan of gold was making itself heard from the shores of the Pacific to those of the Atlantic Ocean. Every one's eyes were turned to the metal-producing rivers and gorges of the Sierra Nevada. Parties, both large and small, were being

made up to cross the unknown waste which lay between them and the *terra incognita* of California, our subject was not to be behind-hand. Resigning the position of Chairman of the Board of Supervisors of Berrien County, he in company with those two respected citizens of Alameda County, Lucien B. and Socrates Huff, L. C. Wittenmyer, the present able County Clerk of Contra Costa, A. P. Pinney and James M. Morton, both of whom are now deceased, left his home in the month of March, and started to cross the plains with three mule-teams. August 13, 1849, they arrived at Bear River and called a halt for short a time to rest, when they proceeded to the mines on the Yuba and Deer Creek. In October Mr. Church and his comrades moved to the north fork of the Yuba, and mined for a time at Goodyear and Michigan Bars; while, during this month, three of the party proceeded to the point where now stands the town of Downieville, Sierra County. Here Mr. Church's friends found the river low, set to work mining, and in the incredibly short space of six hours took out five hundred dollars' worth of gold. With elated spirits they returned to their companions then located on Goodyear's Bar, and with such prospects ahead the whole party determined to locate there for the winter. The night they reached the desired and long-wished-for haven, it commenced to rain and snow, no work could be done, they therefore left for Sacramento and passed the remainder of the winter on Rancheria Creek, cogitating on the uncertainty of things mundane. In March, 1850, Mr. Church returned to the spot which was to deliver up to him prodigious wealth, all he found was a ruin-lined stream, devoid of present or even future hope, he therefore disposed of his claim, settled his affairs, found he had eighteen hundred dollars, and determined to return to his family and home. Ere starting on his journey, however, he proceeded to Goodyear's Bar to bid adieu to his friends there, and, for safety, gave his gold-dust to a man there who kept the store, trusting to receive it the next morning before taking up the line of march. On demanding it he was told that during the night it had been stolen. Judge of his feelings when he found that thus had been swept away his entire earnings, and he was forced to return to his home hardly a cent better off in monetary affairs than when he had left. It is satisfactory to know that the identity of the thief was afterwards fully established. He continued his journey homewards, however, undeterred, passed the winter of 1850 with his relatives, and in the spring of 1851, in company with Socrates Huff, of San Leandro, returned to California. In the winter of 1851-52, with some others, Mr. Church hunted in the hills situated at the back of Mission San José, from which expedition each of the party cleared three hundred dollars. In the spring of 1852 he located a trading-point, in partnership with Henry C. Smith, at New Haven (now Alvarado), from where he was elected to the Board of Supervisors in 1852-53, when Washington Township was a portion of Santa Clara County. While a resident of New Haven, Alameda County was created from out of portions of the counties of Contra Costa and Santa Clara, and disposing of his interest to his partner, Mr. Church was elected the first County Clerk and Recorder of Alameda. He was connected with these offices, as chief and two years as a deputy for nine years. In the year 1867-68 he was associated with the late lamented John W. Dwinelle as Representative from Alameda County, in the State Assembly; and in the year 1868-69, retired to his farm in Murray Township. In the last-named year he visited Healdsburg, Sonoma County, and met, in company with a daughter, such serious injuries from the upsetting of a Concord coach between that town and Calistoga, that he has been maimed and lamed for life. In the year 1870 he established himself in a mercantile business in Healdsburg, believing that that place would be the terminus of the San Francisco and North Pacific Railroad, but suddenly a franchise having been granted to continue the line to Cloverdale, the commercial prospects of Healdsburg went to zero, and with it the trade fostered by our subject. He lost money, paid his debts, and returned to his ranch in Murray Township, where he succeeded his former partner, Henry C. Smith, as Justice of the Peace, and held the office for four years at Livermore. In 1877 he sold his estate and took up his resi-

dence in the city of Oakland, being in 1879 elected Justice of the Peace for Oakland Township, an office he still holds with marked ability. Mr. Justice Church is among the most respected of Alameda's citizens. His integrity has never been questioned; his popularity is unbounded; while, in his official capacity, he may be said to exercise a felicitous tact in all his dealings with lawyers and litigants. He is a member of the Masonic and Odd Fellows' fraternity, as well as one of the Association of California Pioneers. He married in May, 1839, Miss Ellen Cronkhite, a native of the State of New York, and has surviving a family of five children, viz.: Helen, now Mrs. Saulisbury, residing at Santa Ana, Los Angeles County, California; Sarah, now Mrs. Gill, residing near Santa Ana, Los Angeles County, California; William H., now a clerk in the post-office at San Francisco; Rod. W., now residing at Livermore, Alameda County, California; Lincoln S., now residing in Oakland, Alameda County, California.

ALSON S. CLARK.—Was born in the township of Grass Lake, Jackson County, Michigan, March 6, 1836, and there resided on his father's farm until his coming to California. Leaving home on December 15, 1862, Mr. Clark proceeded to New York, and sailing thence *via* Panama, arrived in San Francisco during the first days of February, 1863. Coming direct to Alameda County, he entered into agricultural pursuits for about three months, when he returned to his native place. In April, 1866, he came back to the Pacific Coast, and once more followed farming until January, 1876, when, with his brother, George Clark, he purchased the land and built the store where they now carry on a general mercantile trade.

HENRY C. CLARK.—Was born in Miami County, Ohio, December 26, 1831, and there resided until the year 1850, when he emigrated by way of the plains to California, arriving after a tedious journey of six months. Locating in California, he there commenced clerking in a store, in Sacramento, and was so occupied until June, 1852, when he came to what is now Alameda County, and embarked in agricultural pursuits near San Lorenzo. There he remained until January, 1853, at which date he came to his present place in Brooklyn Township, where he owns a fine residence, surrounded by five acres of land, and is engaged in speculating, farming, teaming, storing, real estate transactions, and managing his line of schooners plying between Clark's Landing and San Francisco. Married October 15, 1868, Miss Josie S. Kimball, and has no issue.

BARCLAY D. T. CLOUGH.—Was born in Chatauqua County, New York, July 24, 1822. He sailed from New York for California *via* the Isthmus, in March, 1850, arriving in San Francisco July 1st of the same year. Mr. Clough commenced mill-building in the spring of 1852, continuing in that business in California, Pike's Peak, and Idaho, until 1865, at one time owning foundries in Calaveras and Tuolumne Counties. He came to Alameda County in 1866, and purchased a farm near Niles, engaging in fruit-culture, and here he still resides.

WILLIAM H. COCKEFAIR.—Was born in Essex County, New Jersey, January 25, 1833, where he resided until he attained the age of nineteen years, and learned the trade of carpenter. Sailing from New York May 10, 1852, on board the steamer *Northern Light*, to Greytown. He thereafter crossed to the Pacific Coast by way of the Nicaragua route, and taking passage in the steamer *S. S. Lewis*, there being on board C. J. Stevens of Livermore, arrived in San Francisco July 7, 1852. Our subject now came direct to Mission San José, and after working on a farm for six months, moved to the vicinity of Alvarado, and there engaged in a like calling until February, 1854, when he proceeded to Nevada County, and there engaged in mining for six months, when he returned for a short time to Alameda County. In the fall of 1855, Mr. Cockefair transferred his mining operations to Indian Creek and Scott's River, Siskiyou County, for two years, finally coming to Alameda County, and worked at his trade for a year. In December, 1858, he moved to Arizona, and at the end of six months went on a visit to the Eastern States, with the intention of remaining, but longing for the sunshine of the Pacific Slope, in September, 1859, he married

and turned his face towards California. Settling in Alvarado, he there dwelt until 1862, when he moved to Nevada, but two years thereafter came back to his favorite county of Alameda, and maintained a domicile there until 1876, at which date he proceeded to Oregon in the employ of the Government as constructor of light-houses. He remained in its employ some six years, at the expiration of which he found his way again to Alvarado, where he has since resided, following his trade of carpenter and builder. Is a member of the Washington Township Society of Pioneers. Married, September, 1859, Miss S. J. Ball, a native of New Jersey, and has two children, viz.: Ellen A. and Charles P.

HOMER A. CRAIG.—Was born in Farmington, Van Buren County, Iowa, December 24, 1846, and is the son of George M. and Laura (Forbes) Craig. His parents moving to California by way of the plains, with ox-teams, in April, 1852, they arrived in Grass Valley, Nevada County, in the month of September of the same year, where they resided, save during the summer of 1854, which was passed in Forest City, Sierra County, until 1856. In that year they moved to Bear River, Yuba County, near where the town of Wheatland has since arisen, but which then was an immense stock range given over to large bands of horned cattle, huge elks, and other game. Here Mr. Craig, Senior, engaged in farming for about a year, whence he removed to the Feather River, Butte County, and there was employed in freighting and farming operations until 1861, in conjunction with our subject. In 1862 Mr. Craig, Senior, died, his wife's death having occurred in the previous year, when the gentleman of whom we write engaged in a grocery business until 1873, during three years of which he was agent for the Home Mutual Insurance Company of California. In the last-named year he joined the company's office in Oakland, and took the Alameda County agency, in association with J. F. Steen for about eighteen months, when, that gentleman seceding, Mr. Craig retained the office for six months longer, when the Alameda County Branch of the Company was formed, and our subject installed as its secretary. That position he filled until June, 1878, at which time, becoming associated with Edward Brown, W. P. Thomas, and W. W. Haskell, in a General Insurance Agency business, the firm of Brown, Craig & Co., of San Francisco, was established, and now consists of Messrs. Brown and Craig, the interests of Messrs. Thomas and Haskell having been purchased by these gentlemen. The address in San Francisco is No. 215 Sansome Street, where they transact a business of about a quarter of a million of dollars per annum, being agents for some of the oldest companies in the United States, among them being Phoenix Insurance Company of Brooklyn, New York; Star of New York; Insurance Company of State of Pennsylvania. In Mr. Craig we have an exemplification of what a business aptitude combined with energy can attain; without these desiderata, no one may hope to reach to the position of honor in a community which this gentleman holds. He married, October 16, 1870, Miss Dora E. Posey, a native of St. Louis, Missouri, and has five children, viz.: Dora L., Homer T., Corydon M., Woodson L., and Wesley P.

ADDISON M. CRANE, JUDGE OF THE SUPERIOR COURT OF ALAMEDA COUNTY—
MEMOIR WRITTEN BY HIMSELF.

I have been requested by the publishers of this book to allow my portrait to appear, and to contribute a brief memoir of myself. Inasmuch as I was a pioneer in the settlement and organization of the county, and because the people of it have repeatedly honored me with positions of public trust, I deem the request a reasonable one, and my compliance with it appropriate. It would more accord with the usual custom that such memoir should assume an impersonal form, but, since the information must necessarily be mainly obtained from myself, it would be only an affectation of modesty to shift the narrative from the first to the third person. I have concluded, therefore, to adopt the former mode. To begin with, I desire to disclaim all motives of vanity or self-laudation in what I may say, and to state that I simply aim to con-

tribute something to the early history of Alameda County. In doing so, I must necessarily speak of myself and of my connection with public affairs. The life of every individual is made up of a succession of events and experiences. In the afternoon of life we recall the memories of childhood, of youth, and of early and mature manhood; and when one undertakes to write of himself the problem is one of condensation and omission. I shall therefore aim to make my narrative as brief as possible. I am descended directly from English stock transplanted to America in the seventeenth century. A glance at the birth and death record of my ancestors for two hundred years back shows that the family is imbued with strong vitality; and the history of individuals goes far towards establishing the fact that it is imbued also with good moral attributes. The record contains not one taint of conviction for a crime. I was born at the town of Litchfield, Herkimer County, State of New York, on July 2, 1814. My grandfather, Isaac Crane, of New York, was a soldier in the Revolutionary War, and was a commissioned officer. In 1810, before I was born, he died, at the age of fifty-seven—his life having been shortened by hardships incident to the war. My father, Henry Crane (who died in 1875, in his ninety-second year) was a country inn-keeper, carrying on a small farm of eighty acres in connection therewith, and also an ashery, or manufactory of potash. The family of my parents consisted of ten children—eight sons and two daughters—of whom all but two of the sons yet survive. I was the third in the family. I early became accustomed to all kinds of farm-work; the burden of so large a family rendered necessary the strictest economy and industry, and at an early age the boys were expected to shift for themselves. At the age of fourteen I first left home, and went one hundred and fifty miles away to serve as a farmer's boy. I remained there six months, and then returned to my home. My opportunities for an education were limited mainly to the winter terms of the common school, which I managed, however, to supplement by academical instruction of about one year in all prior to my twenty-first year. These limited opportunities I aimed to improve to the best advantage. We had but few school-books in those days; but the pupils were made thoroughly to understand such as we had. At the age of seventeen I began teaching school, and continued to do so, winters, for the six succeeding years, receiving the meager compensation of the times. This was a period of hard study with the constant accompaniment of manual industry. An interesting feature of it to me was the fact that the public hall in my father's house was the usual place of holding Justice's courts for the trial of contested cases. From my earliest remembrance I had witnessed these trials before juries, often contested by able lawyers from Herkimer or Utica—such as the Fords, Hoffman, Judd, Spencer, and others. These early impressions may have given me a predilection for the law. I certainly enjoyed and was deeply interested in the contests. I may properly add that in my then legal infancy I was imbued with greater respect and admiration for the jury system than I can conscientiously admit in my mature age. In the autumn of 1835, having emigrated to western New York, I entered the law office of Benedict Bagley, at Nunda—then in Alleghany County, but now in Livingston County—and in June, 1837, received my first law license from the Alleghany Common Pleas Court. In July, 1841, I was licensed to practice in the Supreme Court and the Court of Chancery of the State of New York. In October, 1839, I married Miss Gertrude Ashley, and since then we have made the journey of life in harmony. I erected a house at Nunda, and we resided there until 1843—my business as a lawyer being fairly remunerative. Here our two eldest children—a daughter and a son—were born. In the fall of 1843 I sold my property at Nunda, and removed with my family to Lafayette, Indiana, and there entered upon the practice of my profession. For the first two years I was a partner of Daniel Mace, and for the next two was a partner of Edward H. Brackett. We did pecuniarily well in our profession. In January, 1847, I was elected by the Legislature of Indiana, on the recommendation of the Bar of Lafayette, to the office of Judge of the Court of Common Pleas—a special court, created to relieve the pressure on the

Circuit Court, and having general common law and equity jurisdiction. This court during the four years of its existence, transacted nearly all the civil business of the county. It was abolished by the new constitution of Indiana, in 1851. I have noted, with pardonable satisfaction I trust, that some of the decisions I then made, involving novel questions and original principles in jurisprudence, are quoted in recent text-books as the now accepted law. During our residence at Lafayette, four children—two sons and two daughters—were born to us. My memories of Indiana, and especially of Lafayette, and my friends and acquaintances there, are quite vivid and very pleasant. If this could properly be elaborated beyond the limits of a mere outline personal sketch, it would give me great pleasure to record some of my recollections and impressions. During the winter of 1851 I made a journey down the Wabash, Ohio, and Mississippi Rivers to New Orleans, and returned. In the spring of 1852 I commenced my emigration overland to California, and followed an ox-team from May 6th to September 1st, at which date we arrived at Stockton. This period of one hundred and eighteen days of toil was full of incident, and of the hardship common to all overland emigrants, respecting which much might be said. I came immediately to this valley, and located at San Lorenzo—then known as Squaterville—and engaged in farming with the design of abandoning the law; but my professional services were soon demanded, at remunerative compensation, and I again entered the legal arena. Since then I have been constantly devoted to the law, either at the Bar or upon the Bench. In 1853 Alameda County was organized out of portions of Contra Costa and Santa Clara. In April of that year the first election of county officers was held, the candidates having been nominated without regard to party. At this election I was elected County Judge, and held the office for four years, practicing in the meantime in the other State and in the Federal Courts. In October, 1853, my wife, accompanied by our six children, rejoined me after a favorable passage "around the Horn," and we located on my farm near Haywards; and, with the exception of about one year, I have ever since then been a resident of Alameda County—thirteen years in Alameda, six years at Washington, and now in Oakland. During our residence in Alameda County three daughters were born to us—two of whom yet survive. In 1861 I was elected to the Senate from this county, being the first Senator elected after Alameda County became a separate Senatorial District. I served in the Senate two sessions, and during the latter was President *pro tem.* of that body. On the 8th day of January, 1863, I participated in the ceremonies attending the breaking of ground at Sacramento, inaugurating the work of constructing the Central Pacific Railroad, and made the opening address on that occasion, which address was published in the papers of the day. In my Senatorial capacity I was diligent, and worked to improve the laws, and benefit society and the State. I introduced, amongst others, Acts to amend the laws relating to civil procedure; the new charter of the city of Oakland; the road law of Alameda County; and an Act to prohibit the carrying of concealed weapons. Subsequent observation convinced me that the last-named law had a powerful and excellent effect in reducing the number of altercations and assassinations in California. Those were the early days of the war. The Legislature was composed almost exclusively of Union men, but there was in the State a large leaven of Secessionists, and public opinion was not so decided upon the slavery question as it became during the following year. Believing that slavery must fall before the Rebellion could be suppressed, and considering it the duty of Union men everywhere to strengthen the administration, I took occasion to address the Senate at some length upon the introduction of Union resolutions. I thought then, and now think, that I interpreted and expressed the sentiments of the voters of Alameda County truthfully as regarded the institution of Slavery; and venture to extend this sketch by quoting briefly from that speech as follows: "At the foundation of all this lays that institution which has been the cause of this outbreak, as well as of all the other dangers that have even threatened our existence as a nation. An

institution, sir, wicked in its inception, cruel, relentless and un pitying in all its forms, degrading alike to all classes, making honest labor a dishonor, merchandise of the bodies and souls of men, shutting out the light of the advancing civilization of the age, and reducing to mere chattels the laborers who till the soil. This institution of human slavery is the great black ulcer which has eaten the vitals of our national existence, through the ignorance and darkness which it carries in its train. Without this, and its attendant consequences, we should have had no rebellion, no war, no such attempt as now exists to overwhelm in blood and slaughter this great and free Government. And, sir, it was not in consequence of any threats which had been made against the institution that this sedition was stirred up. No, sir. The incoming Government had been faithful in all its acts to its protection. But the election had demonstrated that the power which the master class of the South had always held in the Government had departed from them forever; that the enlightened opinion of the North was against the further extension of this blighting curse, and that, although they could remain in the Union and enjoy all their rights under the Constitution, yet they could no longer rule as absolutely as they had done in every department of the Government. Public opinion—I mean the enlightened opinion, not only of the North, but the civilized world—a power, sir, far in advance of its laws, and more potent than constitutions and compacts, had made itself felt even among the cotton-fields, sugar-plantations, and rice-swamps of the South; that power which goes forth as the precursor of revolutions—still, silent, noiseless—but resistless in its might as the whirlwind, unchecked in its power as the earthquake—I mean the enlightened sense of Christian civilization—had penetrated the cimmerian darkness of every fastness where this great wrong existed. It then became evident, and such no doubt was the fact, that slavery, however faithfully the constitutional guaranties might be sustained, could not hope to flourish or extend, or even to be respected in the continued connection of the South with the North, but, on the contrary, like any other relic of barbarism, must, by the mere force of such public opinion, grow less and less, until finally it should be extinguished and cease to exist. This was the Southern view, and I am not prepared to deny its correctness. Acting upon this view, the designing traitors who have brought this rebellion upon the country resolved to break up the Union, to sever the links of the golden chain which has so long and brightly connected and bound together the sovereign States of this great confederacy, and to form a nation and government by themselves, peculiar among all the nations and governments of the earth, and which, in the language of the Vice-President, should have for its "*chief and corner-stone, African slavery.*" This was what they resolved to do, and what they are now with arms and in battle attempting to accomplish. But in this they will fail. The attempt will prove futile. There is yet strength and power enough left in our Government to preserve itself. The people are aroused. Legions, unapproachable in numbers, or power, or courage by any thing which can be brought to oppose them, are now striking thick and fast, and with resistless force, and the recent victories which, following in such rapid succession, have attended our advancing armies everywhere show that the contest can be neither long nor doubtful. This great and irresistible host are going forth not only as an army of conquest, but of liberation, striking away the fetters with which the Southern masses have been bound, and carrying freedom to those whose liberties have been crushed out under the iron heel of the worst despotism which has ever elevated itself over the liberties of a people. And, sir, that I may be understood, I will say, that however much I may and do detest the institution which has brought upon us this calamity, yet this war is not waged for its extinction or overthrow. Such was not the object for which it was inaugurated. But, sir, while I say this, and say it in all sincerity, I will further say that this rebellion must be overcome, and the integrity of the Union in all its parts must be restored and maintained at all events, at every hazard, and at any cost. Better, sir, a thousand times better, that every human life, and every dollar of

material wealth, in whatever shape it may exist, over the whole of this rebellious territory, should be swept away as with the besom of destruction, than that this great Government, this last hope of freedom, should perish. No, sir, perish first all its foes, and let desolation blight their fairest possession; and if at last, and when all other means have been exhausted, it shall appear that this "chief corner-stone, African slavery," presents the final obstacle, why then, sir, in the name of my country, of freedom, of humanity, and of God, I would say let slavery go down, if so be that by this means, and no other, the emblem of our nation's greatness can again be elevated over all the land, with every star yet bright and unclouded, and all the stripes of freedom still there. And, sir, while it is true that this war has no such object in view as the abolition of slavery, it is not and never can be tortured into a war for the protection of that institution. Like all other property and material things, negroes must take the chance of the contest. Before the grand army of the Union all obstacles to the end sought to be attained must give way, and we shall not stop to inquire whether such obstacle be a negro, a traitor, or a jackass. If the rebellion can be subdued, and union, and peace, and a hearty and honest submission to the laws be restored, we will extend to and over all the same ægis of constitutional protection which they before enjoyed, and will trust that by the silent, slow, but sure operation of the advancing enlightenment of the age those States, by their own voluntary action, will hasten to be rid of an institution which has always carried with it the curse which follows wrong. Again, sir, while we wage no war for abolition, there are hundreds of thousands, in and out of the army in the South, as well as the North, who would rejoice to see a peaceful solution, by which this great curse should be so effectually disposed of as never again to cast its hateful black shadow across the pathway of our future greatness, and who would not regret the event, should it, as one of the incidents of the war, receive forever its quietus, and be blotted from existence." I spent the winter of 1864-65 in Washington, D. C. While there I procured the passage of the Act to settle the title to the lands of the ex-Mission of San José, by which about thirty thousand acres of the land of this rejected Mexican grant claim was confirmed to the occupants of the land, embracing the largest portion of Washington Township. While in Washington I was admitted to the Supreme Court of the United States, and argued an important land case. At the general election in 1879 I was elected to the office which I now hold. I know of nothing further to add to this brief sketch that would be of public interest. The work done by me in my official capacity must speak for itself. I am conscious of integrity of purpose and motive. I have not the vanity to suppose that this brief memoir will immortalize my name or acts. In a few more years, at most, my mortal career must end, and should the children of some future age stumble upon this book amongst the rubbish of their grandfather's garret, it may excite their interest for a passing moment—perhaps only their amusement.

JUDGE E. O. CROSBY.—The subject of this biographical sketch, Judge Elisha Oscar Crosby, was born July 18, 1818, in the town of Groton, Tompkins County, New York. At Cortland Academy he received a fair English and Classical education. With James Leach, a leading lawyer of Central New York, he pursued the study of law, and in 1841 was admitted to the Bar of the County Court of Tompkins and Cortland Counties. With Hon. E. G. Spalding, of Buffalo, he pursued his legal studies still further, and 1843 was admitted to the Supreme Court of the State of New York. July 18, 1843, his twenty-fifth birthday, he was examined by the eminent Chancellor, R. H. Walworth, who signed his diploma as a solicitor in the Court of Chancery of the State of New York. In 1844 he went to New York City and formed a partnership with Hon. Abner Benedict, an eminent member of the New York Bar. Here he formed the friendship of the most distinguished lawyers of New York—Ambrose L. Jordan, James T. Brady, David Graham, Daniel Lord, and others. Through Chancellor Walworth he received his first official commission, Examiner in Chancery for

the State of New York, which office he held for several years, and satisfactorily did he discharge the duties of the office, though it required a thorough knowledge of chancery practice and the rules governing the taking of testimony in equity cases. Sharing in the excitement caused by the discovery of gold in California, he sailed, on Christmas-day, 1848, for the new Dorado, bearing letters from Messrs. Howland & Aspinwall, directing their agents to give Mr. Crosby every facility to reach California. On the 28th of February, 1849, he arrived in San Francisco. So soon, widely, and favorably did he become known, that he was selected as one of the forty-eight delegates (of whom but six or eight still survive) who were sent to Monterey September 1, 1849, to form a State Constitution, to bring order out of chaos, and found a new empire of civilization, the first upon the Pacific Coast. In this convention Mr. Crosby took an active and prominent part. As Chairman of the Finance Committee, and in organizing the judiciary of the new State, Judge Crosby did most efficient, commendable work. By hard, earnest, faithful work, the Constitution was soon ready to submit to the people for their ratification. At the request of the Sacramento delegation, Judge Crosby was appointed, by Governor Riley, Prefect of that large district. As such officer he was obliged to establish precincts, return the votes for two Congressmen, Governor, and all other State officers. So faithfully and promptly did he discharge his responsible duty that he established fifty-two precincts, had all the votes collected and expressed to Monterey to be counted December 1, 1849. He did this at a personal expense of \$1,400, which the State has never returned to him. During the first and second sessions of the Legislature Judge Crosby was a member of the Senate. He held the important, onerous position of Chairman of the Judiciary Committee, and largely assisted in organizing the judiciary system of the State. Though he often worked till two and three o'clock in the morning, he was always in his seat in the Senate promptly at 9 o'clock. The Senate journal, especially of the first session of the Legislature, shows, through his able reports, his faithful, important, successful labors in organizing the Supreme Court, District Courts, the adoption of the common law, etc. Removing to San Francisco in 1853, he successfully engaged in prosecuting Mexican and Spanish grants to lands before the United States Land Commission and the United States District and Supreme Court, on appeal. The archives of the United States Land Commission and the United States Courts show the extent and success of his labors. To prosecute appeals in the Supreme Court, he was admitted an Attorney and Counsellor of the Supreme Court of the United States. By President Lincoln he was appointed Minister to Guatemala. From the President he received repeated thanks for the faithfulness and efficiency with which he discharged his duty, but especially for his important services as umpire to the Joint Commission, appointed by Great Britain and Honduras, to settle treaty stipulations for adjustment of claims growing out of the Protectorate of the Bay Islands of Honduras and the Mosquito coast and territory. From Great Britain and Honduras he received thanks for the able and impartial manner in which he discharged the delicate, responsible duties of that position. His health failing, he tendered his resignation to Secretary Seward, and went to Philadelphia for medical treatment. After three years he went to Europe to study the world's older civilization in contrast with that of the new State, to found which, on the shores of the Pacific, he had given the energies and labors of the best years of his life. From Europe he returned to his beloved California, the best, most favored land, in his opinion, that the sun shines on. Some five years since, by a violent cold settling in his eyes, and the subsequent maltreatment of a professed oculist, he suffered the loss of the sight of the right eye, with the impairment of the other. By this terrible blow he has been obliged to discontinue his professional labors. With resignation and cheerfulness he discharges the duties of his present station in life, that of Justice of the Peace, with kindness and justice—a credit to his past life and the community where he lives. For years he has been a member of the Ethnological Society of New York, and has, from time to time, made contributions to its

literature, which have been published in the journal of that learned society. In the Masonic Order he is a Knight Templar. He is also a member of the Society of California Pioneers, the Legion of Honor, and other benevolent associations. May his long, varied, useful life be continued many years among a people who can appreciate the fact that very few men now living in California have, by hard, unselfish labor, the truest patriotism and zealous, intelligent devotion to duty, done more than Judge Crosby to make the Golden State the most happy, the most prosperous, the most to be envied in the sisterhood of States.

JOHN CUSHING.—The subject of this sketch whose portrait appears in this work was born on the east side of the Green Mountains, Bethel, Orange County, Vermont, September 28, 1832, and is the eldest child of Daniel and Hannah (Townsend) Cushing. When but one year old he was taken by his parents to Delaware County, Ohio, and seven years later to Kane County, Illinois, where his father was engaged in the manufacture of fanning-mills and reapers. In 1846 death deprived him of his mother, and the home associations being thus broken, his father and our subject in March, 1849, commenced the arduous undertaking of crossing the plains to California. On the journey, Mr. Cushing, Senior, sickened and died, and with a heavy heart our subject continued his lonely way, arriving with his party at Sacramento, October 1, 1849. On arrival he laid in a stock of provisions and took them to Bidwell's Bar on the Feather River, where he passed the winter of 1849-50, varying the monotony of the days by occasional prospecting. In the succeeding spring he moved his worldly possessions to Redding Springs, Shasta County, thence to Weaverville, Trinity County, where he lived until the fall of 1851, established himself, and brought goods from Marysville. He afterwards for a time engaged in mining at Weaverville and for the winter of 1851 returned to Shasta, but soon moved to Whetstone Bar, Trinity River. Mr. Cushing and his companions built the first cabin in that quarter. He then returned to Shasta County, and engaged in ranching on the Stillwater, until the spring of 1853, when he engaged with the firm of Tomlinson & Wood, wholesale grocers, at Shasta. In 1855 he entered into partnership with G. I. Taggart in the retail grocery business in Shasta City, which continued two years, at the end of which he associated himself with O. P. Fuller and erected a brick building, twenty by eighty feet, wherein he carried on the same business. The partnership with Fuller lasted one year, when he then joined C. C. Bush. In 1866 he disposed of his business to Bush & Carlson, removed to Roaring River, or Cottonwood, and conducted a mercantile business for three years and a half, when, selling out, he came to Oakland in 1870, having first taken a trip through the State. In the spring of 1870 he purchased a half-interest in the business of R. McCrum, general grocers, where he remained five years, consolidating, however, at the expiration of three years, with the firm of L. Bradley. In the following year Mr. Cushing sold out to J. J. Cadogan and retired from business for a twelvemonth. In 1876, in partnership with Andrew Ryder, the present County Clerk, Mr. Cushing once more engaged in business, and at the end of eighteen months, purchasing the interest of that gentleman, he has since conducted its affairs alone. Married, March 22, 1862, Annette, daughter of N. C. Farrington, of Orino, Maine, and has: Henry, Rosie, Charles, and George.

L. H. CUTLER, M. D.—Was born in Ballston, Saratoga County, New York, April 9, 1822, and there remained during the first six years of his life, at which time he was sent to Sharon, Litchfield County, Connecticut, for a further period of five years. He then joined his parents, who had taken up their residence in Rochester, and subsequently removed with them to Cleveland, Ohio, where our subject resided and received his early education. He next attended and graduated from the Western Reserve Medical College in 1846, and in the spring of the following year emigrated to Stephenson County, Illinois, where he commenced the practice of his profession. Leaving that State in March, 1850, for the Golden State, he arrived at Johnson's Ranch on the national holiday of that year, and proceeding to Nevada City,

there dwelt and engaged in business in partnership with P. B. Fagan for two years. In the fall of 1852 he returned to Illinois, and afterwards took up his residence in Wright County, Iowa, with his family, and there made his domicile until 1872. Doctor Cutler's has been no ordinary life; indeed, it may be said it has been one of extraordinary activity. In the year 1860 he was elected to the State Legislature of Iowa for one term; in January, 1862, he assisted in the organization of the Thirty-second Regiment, Iowa Infantry, and with this corps proceeded to the front as Captain of Company A. He was subsequently transferred to the Ninth Regiment, as surgeon, and with it remained until mustered out of the service after the siege of Vicksburg. He then returned to his home in Iowa, and, in the bosom of his family, dwelt continuously there until he once more turned westward toward the Pacific shores. On arrival, he looked around for a spot on which to "pitch his tent," but where all places are so captivating he found difficulty in making a choice. At length his selection was made in Alameda County, in February, 1872, and in the following year his family joined him at Livermore, where he has since resided, practiced his profession, and conducted a drug-store. He married his present wife October 9, 1875, Miss F. A. Keeler, a native of Medina, New York, and has three children, viz.: Charles C., George L., and Cora A.

ROBERT DALZIEL.—Was born in Scotland in the year 1836, and there resided until he attained the age of fifteen years, at which period he came to the United States, settled in Brooklyn, New York, and embarked in the gas-fitting business, which he continued until 1858, in which year he sailed round Cape Horn, arriving in California in March, 1859. Having worked for three months at his trade in San Francisco, he then moved to Sacramento, where he followed his calling for five years. At the expiration of that time he established himself in his present plumbing business in Oakland. Mr. Dalziel has now bought a one-third interest in the San Francisco Brass Works, at Nos. 413-415 Mission Street, San Francisco, where all kinds of brass goods as well of every manner of plumbing materials are manufactured. Married in 1863 Miss Agnes Smith, and has seven children, viz.: Andrew, Robert, Alexander, William, James, Margaret, and Anstruther.

WILLIAM E. DARGIE.—The subject of this sketch, whose portrait appears in this work, is the son of John and Eliza G. Dargie, and was born in San Francisco, March 13, 1854. He received his early education in the public schools of that city, graduating from the Union Grammar School and subsequently attending the High School for a year. At thirteen years of age he secured the position of bill clerk to Armes & Dallam, wholesale dealers in wood and willow ware, with whom he remained a twelve-month. He now commenced an apprenticeship to the printer's trade in the office of the San Francisco *Evening Bulletin*, where he continued until 1875, during the time having gradually risen through the different grades of the composition-room and being finally transferred to the editorial-rooms as a reporter. At this time Mr. Dargie determined to secure a better education for himself, he therefore entered the State University in 1875, being at the same time engaged in special reportorial work for the *Bulletin*, with the emoluments from which he paid his expenses. During the vacation which followed the close of the Freshman's year, Mr. Dargie purchased a controlling interest in the Oakland *Tribune*, and assumed the management of that journal July 24, 1876. The changes made in the paper, and its progress to its present status among the leading dailies of the State have been noticed elsewhere, suffice it to say that Mr. Dargie's management has been eminently successful. On February 27, 1883, he was appointed Postmaster of Oakland for a term of four years, and his managerial experience has been brought to bear upon the routine of the new office which has already worked a decided benefit to the community at large. Mr. Dargie retains his interest in the *Tribune*, being still its manager. He married in San Leandro, December 15, 1881, Miss Erminia, eldest daughter of Miguel Peralta, a native of Alameda County, and has one son, William E., Jr.

HIRAM DAVIS.—The subject of this sketch, whose portrait appears in this work, was born in Genesee County, New York, March 2, 1830. At the age of nine years he was taken by his parents to Michigan, and in the following year accompanied his uncle, Samuel Holmes, to Hancock County, Illinois, where he received his schooling and resided until 1847. In that year he emigrated with a company of Mormons to Council Bluffs, Iowa, and thence to Missouri, finally, in the spring of 1848, going to Salt Lake City, where he dwelt until 1849. Late in the fall of that year he started for California, and on arrival commenced mining in Mariposa County, which he continued until 1850, when he came to Alameda County, and in 1854 purchased a farm near Alvarado, on which he resided until 1865, when he went to the Eastern States, but after a visit of eight months, returned and settled on Dry Creek, where he lived until the year 1870, at which time he moved to his present ranch. Mr. Davis owns one hundred and forty-three acres of land, and is engaged in general farming. He married in Michigan in 1856, Miss Martha Fairfield, a native of that State, and has nine surviving children, viz.: Martha A., born April 6, 1858; William Lee, born January 6, 1861; Mary L., born October 8, 1862; Sarah J., born June 18, 1864; Clara L., born November 7, 1871; Harriet R., born March 6, 1876; Edward R., born July 8, 1868; Joseph M., born July 18, 1872; Frederick H., born December 15, 1879.

EZRA DECOTO.—The subject of this sketch, whose portrait appears in our work, was born in Lower Canada, September 2, 1833, and is the son of Charles and Mary (Gerbetto) Decoto. Having resided with his parents until fifteen years of age, he went to Hazardville, Connecticut, and worked there, afterwards becoming foreman in a cooper's shop for four years, at which time he started for California. Leaving New York, April 15, 1854, on board the *Moses Taylor* to the Isthmus of Panama, on the Pacific side per *George Law*, he arrived in San Francisco May 18th, and directly proceeded to Alameda County, and commenced raising strawberries on the Encinal of Alameda, an occupation he continued two years, when he embarked in the business of raising potatoes in the same place. In 1858 he changed the field of his operations to San Leandro, and embarked in the cultivation of potatoes and the cereals, which he prosecuted for four years, at which time he removed to Haywards, and there farmed until 1867. Mr. Decoto then disposed of his property, and with his brother purchased three hundred and thirty-four acres from Jonah C. Clark, where he settled, and commenced farming. Here he farmed until 1871, when they sold two hundred and eighty-four acres to the Central Pacific Railroad, and reserved the balance, on a portion of which he now resides. In 1873 he purchased one hundred and ten acres near Washington Corners, and disposed of it in 1881. Has been School Trustee for ten years. Married, August 21, 1860, Miss Janet Lowrie, a native of Stirling, Scotland, and has a family consisting of four girls and three boys, viz.: Charles, born June 6, 1861, died February 20, 1869; Lizzie, born April 4, 1863; Mary, born May 8, 1865; Peter, born January 4, 1869; Janet, born February 14, 1871; Alvena, born June 25, 1873; Ezra, born February 6, 1876; Lewis, born June 20, 1868.

CARLO DELMUE.—Was born in Switzerland in 1854, and there resided with his parents until he attained the age of fourteen years, when he emigrated to California, landing in San Francisco in September, 1869. He at once proceeded to Suñol, Alameda County, where he found employment on a farm. Four years thereafter he started a dairy on the ranch where he now resides in Suñol Valley, which he conducts in connection with several places in different parts of the county.

JOSEPH DIEVES.—Whose portrait appears in this work—was born in Heimerzheim, on the Rhine, Germany, August 24, 1816, where he received a common school education; served his apprenticeship to the cabinet-maker's trade, and resided until he attained the age of twenty-five years. He then was absent three years in Belgium, France, and Holland, during which he improved himself in the mechanical departments of his trade, and on his return home worked at his calling till the year 1847, in which year he emigrated to the United States, settled in Boston, and resided there

until 1848, when he located near Milwaukee, Wisconsin, and followed his own occupation combined with farming. In 1853 he came to the Pacific Coast, arriving in San Francisco on the 15th of April, and proceeding directly to the mines at Sonora City, there remained three months, at the end of which time he came to Alameda County, settled in the city of Oakland, and engaged in carpentering until 1856. At that period he opened the Eagle House, then the principal hotel there, situated on Second Street and Broadway, and there remained until 1861. He then moved to the Three-mile House on the San Leandro Road, where he remained three years, after which taking charge of the Continental Hotel in San Francisco for three months. Mr. Dieves next took the Cosmopolitan Hotel in Oakland, and conducted it until 1868, when he returned on a visit to Germany. On coming back to California he built on Ninth Street, Oakland, and subsequently purchased an interest in the Oakland Brewery, a history of which will be found in its proper place. Married in April, 1846, Miss Gertrude Gette, a native of Germany, and has two children, Joseph P., born January 2, 1847; and Mary, born September 29, 1849.

HUGH DIMOND.—Was born in County Derry, Ireland, March 27, 1830. In the year 1844 he emigrated to the United States, first settling in the city of New York, where he served an apprenticeship as a machinist. May 12, 1850, he sailed in the *Cherokee* to Chagres, whence proceeding to Panama, he there took passage to San Francisco, where he arrived on the 22d June. Mr. Dimond at once proceeded to try his luck at the mines, and continued that occupation in different localities until 1852. At this date he associated himself with C. D. O'Sullivan and W. F. Cashman in a mercantile business in Mariposa, and thus continued until 1862, when he came to San Francisco and embarked in the liquor trade. In 1867 he settled on his present property in Brooklyn Township. In 1872 married Miss Ellen Sullivan, who died 21st April, 1877. His family consists of a daughter and two sons, viz.: Nellie, born in Geneva, Switzerland, August 2, 1873; Hugh S., born in Pons, France, 8th June, 1875, and Dennis S., born in Oakland, Alameda County, California, 10th August, 1876.

HON. MATHEW W. DIXON.—The subject of this sketch, whose portrait appears in this work, was born in Kanawha County, West Virginia, March 28, 1828. In 1840 he accompanied his parents to Jackson County, Missouri, and there resided until the year 1849, when, emigrating, he crossed the plains to California, starting on April 1st and arriving at Sacramento on the 28th September. Having mined at Hangtown (now Placerville) until November 1st, he then proceeded to Santa Clara County, where he settled near Mountain View, and purchased two claims, farming in that section until 1865. In that year he moved to the place on which he now resides, having previously purchased it in 1861, and consisting of some three hundred acres. Besides having engaged in grain-raising, Mr. Dixon also owns an interest in certain warehouses in Milpitas, Santa Clara County, which were erected in 1868. In 1869 he was elected to the Board of Supervisors, and served two years; was elected to the Assembly from Alameda County in 1874 on the Independent ticket, being re-elected in 1876 by the Democrats. In 1882 Mr. Dixon was nominated for the Senate by the Democratic Convention by acclamation, and only lost his seat by the paltry majority of forty votes. In Mr. Dixon we have one of those men, who, from small beginnings, has sprung into prominence by his own indomitable perseverance and unaided efforts. His motto through life has evidently been—to conquer or to die. His name is associated with all that is good; his official career has ever been without blemish, while in private life he is deservedly honored by his fellow-citizens. Married, firstly, July 21, 1852, Miss Eliza Whisman, a native of Jackson County, Missouri, who died May 10, 1866. By that union there are two surviving children, viz.: James K. Polk, and Rachael Emily. Married, secondly, October 7, 1866, Mrs. Rhoda A. Emmons, and has Hattie, Jennie G., and Mathew W., Jr.

MARTIN DONOHUE.—Was born in King's County, Ireland, November 11, 1832. When seventeen years of age he emigrated to the United States, and resided princi-

pally in the city of New York and the Western States until April, 1865, when he sailed from the Empire City for California *via* Panama. Having resided in San Francisco until 1868, he then moved to Alameda County, and locating near Dublin, there purchased a tract of one hundred and sixty acres, which he lost after a lawsuit lasting ten years, the title thereto being defective. Since that time Mr. Donohue has contented himself with leasing land, and is now on a ranch situated about two miles from Pleasanton, a portion of the Bernal Rancho. Married, and had two children, both of whom are now deceased.

HUGH DOUGHERTY.—Was born in County Tyrone, Ireland. In the year 1858 he sailed from the green old isle to the United States, and proceeding to Philadelphia there sojourned for a short time. He then moved to Gloucester County, New Jersey, where he farmed until leaving for California. On March 25, 1865, he started by way of Panama for the Pacific Coast, and arrived in San Francisco on the 16th of April. He came at once to Alameda County, and found employment with John M. Horner at Mission San José for ten months, when he purchased the eighty-acre tract now in the possession of Mrs. John Taylor, and managed it for two years, at which time it was sold and his present property acquired, on which he settled February 3, 1870. From this land he was ousted through a defect in the title on June 3, 1871, since when he has rented it. His farm, which comprises three hundred and twenty-four acres, is situated five miles from Livermore, and there Mr. Dougherty devotes his time to general farming and stock-raising. He is married, and has a family of five children, viz.: John, Hugh, Alice, Mary, and Josephine.

JAMES W. DOUGHERTY (deceased).—The subject of this sketch, one of the best known pioneers of Alameda County, was a native of the State of Tennessee. At seventeen years of age he emigrated to the State of Mississippi, and there resided until 1849, having held the onerous and responsible offices of Sheriff and County Clerk of the county of his residence. In the above-mentioned year he sailed from New Orleans in the ship *Humboldt* for the Pacific Coast, but on arrival only stayed a short time in San Francisco. Having returned to his adopted State in the fall of 1850, the month of March, 1851, saw him once more leaving New Orleans for California, in company with Thomas D. Wells, now of Dublin, and several others. On arrival he proceeded to Sacramento, re-engaged in the business which he had started in 1849, and there resided, conducting it until 1852. In the spring of that year, having been joined by his wife, he came to Alameda County, and with William Glaskins purchased the Rancho of Don José Maria Amador, then consisting of some ten thousand acres of land. Some time afterwards the interest of Mr. Glaskins was purchased by Samuel B. Martin, whose share was bought about six years ago (about 1876) by Mr. Dougherty. This estate is now in the hands of Charles P. Dougherty, his son, who resides in the old homestead of the Amadors in the village of Dublin. Mr. Dougherty died September 29, 1879, leaving one son, named above. He was married in Tennessee, and had four children.

LORENZO DRESCO.—Was born in Piedmont, Kingdom of Sardinia, Italy, December 25, 1825, and is the son of George and Mary Ann Dresco. At the age of nine years he moved with his parents to the island of Sardinia, and there resided until he reached man's estate, when, in 1846, he proceeded to Genoa, whence he sailed to Montevideo in South America. He then proceeded in a small craft to Buenos Ayres, and remained there until March 17, 1850, on which date he sailed for California, rounded Cape Horn, and arrived in San Francisco Harbor July 10th of that year. He immediately proceeded to Calaveras County, and afterwards to different mining localities, followed that occupation until 1863, when he transferred the scene of his operations to Mariposa County, and there dwelt until 1869, when, removing to the White Pine district, Nevada, he engaged in mining and prospecting. In 1871 he came to Alameda County, and entered the employ of C. T. H. Palmer, of the Oakland Street Paving Company, being foreman there for thirteen years, on the expira-

tion of which he proceeded to Santa Clara County, and opened the Mount Hamilton Road. In January, 1882, he located himself in business at the corner of Broadway and Twelfth Streets, Oakland. Married December 25, 1879, Miss Lydia French, and has no issue.

CARL DUERR.—A portrait of whom will be found in this work, was born August 9, 1824, in the judicial district of the town of Pforzheim, Grand Duchy of Baden. His parents were John K. Duerr and Emilie Katharina Duerr, *née* Finter. The father, who held an elective municipal office for many years, took an active part in politics, always supporting the most advanced liberal principles, soon experienced the displeasure of the higher government officers during the period following upon the close of the Napoleonic wars. With an inherent dislike to monarchical institutions, the beacon light of liberty in the far west had long ago attracted his attention. Carl, the subject of this sketch, was the second of four sons. After receiving a common school education, he entered a machine shop at the age of fifteen, attending twice every week one of those technical schools found in most German cities. He was employed during this time on the first railroad built through the valley of the upper Rhine. While working at the large machine shop in Zürich, Switzerland, 1844, he got news of his father's final resolution to carry out his long cherished plan of making the country of freedom his future home, though knowing full well that all the material benefits could only be in the future prospects of his children. Carl, upon receiving the news, immediately returned home and devoted the remaining time exclusively to the further study of mechanical engineering. After a favorable voyage of thirty-two days across the Atlantic, he arrived in New York August 8, 1845. Newark, New Jersey, where several friends of the family were already located, was their objective point. The father, after a short residence in the town, bought a farm near Orange, New Jersey. Here the mother died in 1849, forty-seven years of age. Two of the sons being married by this time and the younger following the sea, the father being entirely left alone, disposed of his farm and spent the remainder of his days in Newark, where he died in 1867, seventy-one years of age. Charles, immediately after their first arrival in Newark, obtained work in a machine shop. At the end of one year he undertook, under the circumstances, the desperate venture of starting a machine shop on his own account. He did well beyond expectation. The news of the California gold-fields, however, soon had their effect on his sanguine and restless disposition. In the fall of 1849 the business that had been built with such energy and perseverance was sold out against the advice of his best friends. Steamer tickets were sold months ahead. On the 4th of April, 1850, he left New York for Panama, *via* the West Indies. After another stoppage of forty-five days, awaiting the steamer at Panama, he arrived in San Francisco July 11, 1850. For two years he was engaged in the city, mostly in building. In March, 1852, he went to Oregon by steamer, with L. Nusbaumer and others, returned by land, and arrived in the Sacramento Valley with a large drove of cattle in the fall of that year. On the 3d of March, 1853, through the advice of a friend, Fritz Boehmer, now residing in the town of Alameda, Charles Duerr came with him across the bay of San Francisco in a schooner, to locate a quarter-section of land for the latter, the identical place where now the town of Mount Eden stands. Being no practical farmer, the land was let on shares. In company with a friend, they started a shop, chiefly for the repairing of machinery. In 1855 he sold the possessory right to his land, and bought, together with L. Nusbaumer, another place on Dry Creek, in Washington Township. In the fall of 1857 the two jointly rented the estate of John W. Kottinger, in Murray Township, following sheep-raising and merchandising. Was appointed, 1858, a Justice of the Peace for the unexpired term of John W. Kottinger, resigned; in the fall of 1858 he was elected a member of the Board of Supervisors for Murray Township. In 1862, through the friendly assistance of J. West Martin, Esq., now mayor of Oakland, Duerr and Nusbaumer jointly acquired their first interest in the Rancho El

Valle de San José; subsequent purchases increased their interest to over three thousand one hundred acres. They made their permanent home on the "Arroyo de la Laguna," two miles above Suñol, near the Central Pacific Railroad. Mr. Duerr followed surveying for some fifteen years; was elected County Surveyor in 1871. The later years he devoted exclusively to the management of his own affairs. Was married last January to Lucia Diestel who came from Germany only a few years ago, and who faithfully shares with him the never ceasing cares of a rural occupation.

JOHN DUGAN.—Was born in Ross County, Ohio, March 2, 1838, but when eleven years old moved with his parents to Springfield, Illinois, where he learned the trade of painter and resided until he concluded to emigrate to California. On March 8, 1859, having paid seventy-five dollars passage-money, he started from Pike's Peak, and veritably tramped across the plains to the Pacific Coast, walking alongside the wagons by day and sleeping under the clear cold sky by night. Such were the hardships that many endured to reach the land of gold. Arriving in Siskiyou County in September, 1859, he there resided until 1864, when he engaged in mining, and in that year proceeded to Nevada. On March 10, 1865, our subject started for Virginia City with a train of twenty passengers bound for Idaho City, in the Territory of that name. On March 27th, at 8 P. M., they were attacked by a party of Indians, and twenty-four head of horses were run off. Next morning by daybreak Mr. Dugan had everything in readiness to follow the Indians, and capture them if possible. Selecting four of the best men, as he thought, they started in pursuit, and after traveling about ten miles came to where the redskins had made a halt and killed and eaten several of the horses. Encouraged by the freshness of the trail, Mr. Dugan's party pushed forward, intending to overtake them before they could cross the Jordan River. Following up the trail and passing through a rough and volcanic region, a halt was called, when it was found that two of the men had deserted. After following the trail for forty-eight hours, it was discovered that the Indians had stolen across the Jordan; therefore Mr. Dugan was forced to find his way on foot to Idaho City, where he arrived on May 1, 1865. At the end of two months he returned to Virginia City, and on the journey assisted in the rescue of several families who were surrounded by Indians, at the head of Paradise Valley, on the Little Humboldt River, and there remained until the fall of 1865. At this time he came to California, followed different occupations, and in 1878 located in the town of Newark, Alameda County, where he was the first to purchase a lot, on which he built the Newark Hotel, a hostelry which he at present conducts. Married October 10, 1860, Miss Mary Wheeler, a native of Missouri, and has three children, viz.: John L., William W., Edgar E.

HENRY DUSTERBERRY.—Was born in Hanover, Germany, February 17, 1830, and is the son of Gerhard Henry and Mary Angeline (Husted) Dusterberry. Having been educated in the public schools of his native country, he there resided on his father's farm until the year 1847, when he emigrated to the United States. After a few weeks passed in New York he proceeded westward and commenced farm labor in Racine County, Wisconsin, which he followed two years. In the winter of 1849-50 he returned to New York, but in the spring went back to Wisconsin and was employed until March, 1852, as a teamster. April 14th of that year he started to cross the plains to California, being in company with two young men and having four yoke of oxen, wagon, and a couple of horses. Arriving in this State in the early part of September, Mr. Dusterberry at once entered into the occupation of mining in El Dorado County, and there remained at Cedar Ravine until the spring of 1853, at which time he moved to Grizzly Flat and there continued until the fall of 1854. At this period our subject first came to Alameda County and for the first year worked for Ed. Niehaus & Co. In 1855 he returned to Grizzly Flat and there spent portions of it and the following year, after which he returned to Alameda and his former employer, with whom he resided until the spring of 1857. He was subsequently variously employed, chiefly in farming transactions with Mr. Niehaus until July, 1863,

when he purchased the place on which he now resides. Married September 25, 1863, Miss Ellen Faley, and has a family; viz.: Mary, Henry, Frank, Frederick, and Lizzie. Mr. Dusterberry has represented during two terms Washington Township on the Board of Supervisors, and is the present member from that district.

N. D. DUTCHER.—Was born in Jefferson County, New York, March 15, 1850, where he resided for the first ten years of his life. On February 15, 1860, he accompanied his mother with one sister and two brothers to California by way of Panama, and arrived in San Francisco exactly one month thereafter. His mother having proceeded to Castroville, Santa Cruz County, where her brother, H. W. Rice, resided, our subject lived with her there until the month of December of the same year, when she moved to Alameda County and located at Haywards, where Mr. Dutcher was educated. In 1868 he came to Livermore and commenced learning the blacksmith's trade with James Beazell, but after nine months went to work with R. N. Caughill where he completed his apprenticeship. He now engaged in the employ of Allen & Graham as clerk in a general merchandise store for eighteen months, after which he served in the establishment of Charles Whitmore, for a year, when, on the opening of the house of G. W. Comegys—now the firm of Comegys, Black & Co., he worked for him eighteen months. On November 1, 1876, Mr. Dutcher entered upon the tin-smith and hardware business in the building now occupied by the *Review* office, and in September, 1879, moved into more commodious quarters located on Lizzie Street, where he is engaged in carrying on a flourishing trade. Has been Town Clerk of Livermore for one year.

E. DYER.—Was born on the second day of March, 1828, in the town of Sullivan, Hancock County, Maine. Son of Joshua and Elizabeth Dyer, natives of that State. His grandfather, Ephraim Dyer, for whom he was named, was a revolutionary soldier, was present at the battle of Hubbardton, at the battles of Stillwater and at the surrender of Burgoyne, and also served under Washington and Lafayette, and settled in Maine shortly after the close of the Revolutionary War. The subject of this sketch spent his early boyhood on his father's farm, was educated in the public schools and under private instructors, and could probably have entered an Eastern college had his means permitted. Was engaged in various employments, working in a ship-yard, school-teaching, surveying, etc., till the breaking out of the gold fever in California, and in the spring of 1850, at twenty-two years of age, having collected his available means, purchased a steerage ticket for that place, cabin tickets being beyond the reach of people of moderate means, and on the 15th of June of that year, sailed from New York for Chagres on a steamship commanded by Lieut. Schenck, and after eight days arrived at Havana, where the passengers were transferred to a steamer of about one-half the size; Lieut. Herndon, commanding, and in four days arrived at Chagres. The transportation up the river was in the hands of Jamaica negroes, which they carried on by means of small boats, loading them, as a rule, within six or eight inches of the gunwale, piling the baggage up high, and seating the passengers on top of that. Having embarked on the river, about two hours after dark they encountered a terrific tropical thunderstorm. Umbrellas would collapse immediately under the weight of the descending water, and it required the utmost efforts at bailing to prevent the boats from sinking. The wild shouting of the boatmen to prevent collision, the terrific thunder, the pitchy darkness, only relieved by the vivid lightning, together with the sense of great personal danger, made it an occasion never to be forgotten. Finally the passengers all effected a landing about eight miles above Chagres, where they found shelter under an old rookery. At daylight they again started up the river, and in two or three days they landed at Golconda, whence he took land passage to Panama, distant twenty-seven miles. At that point hearing nothing of the steamer in which he was to take passage to San Francisco, and having contracted the Panama fever, he exchanged his steamer ticket for cabin passage in the British brig *Gunnare*, which sailed in a few days, and after a long passage arrived at San Francisco on the 17th day of September,

1850. Business here, of all kinds, was at high pressure. Hundreds of miners were arriving from the mines, the larger part of whom, however, were "dead broke;" but many brought large quantities of gold, which they freely spent at the gambling-saloons, which were running at full blast at nearly every corner of the streets. Many of these saloons were most gorgeous in their appointments. In many of them hundreds of thousands of dollars were in sight. Gambling was a mania which seemed to have seized all classes. Skilled labor was high, carpenters receiving from eight to twelve dollars per day; masons, from ten to fourteen. The wages of common laborers were comparatively low on account of so many miners returning disappointed from the mines and seeking work. Good board for working men was obtainable at ten dollars per week, with as good lodging as is now afforded to farm-hands by the majority of California farmers. No vegetables were furnished except potatoes, as all others were enormously high. Mr. Dyer stopped in San Francisco, engaged in various employments about two months, and then took passage on a sloop for Union City, which was the embarcadero from whence nearly all vegetables raised in California were shipped. His object in going there was to get a chance, if possible, to engage in farming operations on his own account. In two days the passage was effected. This was his first arrival in what is now Alameda County. He found that nearly all produce shipped here was raised by John M. Horner, there being, however, a few others who were small producers. He took conveyance on a lumber-wagon to Mission San José, ten miles distant. This he found to be a most lively place. E. L. Beard lived here, who, together with John M. Horner and Andreas Pico, laid claim by purchase, to the whole tract of the ex-Mission San José. Mr. Beard was carrying on farming operations to some extent, and to him Mr. Dyer applied for land to farm, but without success. In passing from Union City to Mission San José on the then traveled road, only one house, a Spaniard's, was to be seen. The whole country presented the appearance of a barren waste, dry and verdureless, from the city of San José to where Oakland now stands. No trees, except a few scattering ones on the creeks, which had been left by the browsing cattle, thousands of which roamed the plains, and it was a deep mystery to him upon what they subsisted, as, according to his Eastern experience, the dried up grass strewn in every direction was utterly worthless. What a contrast between the country now and as it then appeared. On his way back to San Francisco, he made a detour, passing through the Horner Ranch, where he found them digging potatoes and shipping them and other farm produce to market. Farm hands, potato-diggers, here were paid fifty dollars per month. When he reached Union City on his return, he found the opportunity which he so much coveted. A Mr. Cheney living near Horner's ranch, offered him his board, land, seed, feed, and team to carry on farming operations, charging a rental of one-half for their use. He accepted this offer, but Mr. Cheney, upon the death of his wife, which occurred shortly after, found himself unable to carry out his part of the agreement. It being then too late to seek another opportunity of that kind, which it was almost impossible to obtain among strangers, he engaged himself to J. M. Horner, to work on his ranch for one year in hopes that he might get another chance to farm by the end of his term. Mr. Horner had about one thousand acres inclosed, and cultivated, perhaps, one hundred and fifty. Produce that year had ranged very high, potatoes selling for ten cents per pound, cabbage one dollar per head. Mr. Horner sold that year from about three-fourths of an acre, ten thousand dollars worth of tomatoes. His principal crop, however, was potatoes which were selling at ten cents per pound. His total profit for that year must have been very large, indeed. He was the largest farmer in California by far, and was known throughout the United States as the great California Farmer. Contrast the magnitude of his farming operations then with the large farming operations carried on at the present time. The ranch work was performed by three classes: Americans, who generally did the teaming; Sonoreñas, and Yaqui Indians, who did the digging and delving. This was another successful year for farmers, who were largely remuner-

ated for their labor and enterprise. The desire for farming was greatly stimulated by these successes, more especially as it had been demonstrated that not the moist lands alone, such as those constituting a part of the Horner Ranch, were capable of raising potatoes. Mr. Horner made extensive preparations for extending his business outside his ranch limits, on other portions of the ex-Mission San José, and the Pacheco Rancho, near Alvarado; a part of which he had bought. He rented these lands on a certain share, generally furnishing seed, team, etc. Another opportunity for farming was again opened to Mr. Dyer, but was lost through the somewhat sharp practice of a prospective partner. It was again too late to get another opportunity. The fates were evidently against him, and he gave up any further attempt in that direction. Learning that large quantities of grapes were raised in Los Angeles, and could be bought very cheap owing to the extreme difficulty of shipping them to San Francisco in good order, where they bore a very high price, and remembering to have heard in his boyhood that grapes packed in sawdust, had been shipped from Spain and arrived in good order in the United States, he resolved to try the experiment on the Pacific Coast. Having entered into partnership with William H. Graves, they went to Los Angeles, and finding the business such as it had been represented, rented a vineyard as the nucleus of their operations, depending mainly on buying their grapes. In proper time Mr. Graves returned to San Francisco to superintend the buying and shipping of boxes and sawdust, while Mr. Dyer remained in Los Angeles to attend to the buying, packing, and shipping of the fruit. Returning to San Francisco after an absence of two years, he found the whole farming community of Alameda County involved in inextricable financial ruin. The year 1852, the first year he was in Los Angeles, was an exceedingly prosperous one with farmers. This completely turned their heads. The larger portion of the land from the Mission San José to Union City was ploughed up and put in potatoes. The farmers exhausted the profits of the year before, and all they could obtain on credit to put in their crops. The yield was very good. Many could have sold their crops in the field, at largely remunerative prices, but they were looking for a bonanza. There was a perfect mania on the potato question. Very few sold, and most of the crop of Washington Township was piled up in cribs on the banks of Alameda Creek at Union City. The supply in California proved in excess of the demand three to one, and the most of these potatoes rotted on the banks of the creek, a total loss to their owners. J. M. Horner, who, up to this time, had been the financial and agricultural king and oracle of these parts, was also involved in the common ruin. Mr. Dyer having spent two more years at Los Angeles, returned to reside permanently in Alameda County. In 1858, being desirous of purchasing improved cattle in the Western States, to drive to California, to explore personally the route over which they had to be driven, he took passage at Placerville August, 1858, in the overland stage, arriving at St. Joseph, Missouri, in forty days, being detained in Salt Lake City ten days of that time. He was the first through passenger across the continent, being the pioneer in that respect of the Overland Mail Line. Mr. Dyer, while in Illinois, married Ellen F. Ingalls, a former resident of his native town, and second daughter of B. F. Ingalls, a prominent ship-builder in that portion of Maine. They returned by steamer to California in the fall of 1859, and settled at Alvarado. In 1861, after the election of Lincoln, he was appointed by Lieutenant Beale, United States Surveyor General, United States Deputy Surveyor, and was engaged in the Government surveys, under him and his successors twelve years, surveying, in addition to other tracts, the lands lying on the eastern boundary of the State, extending from below Lake Tahoe nearly to the Oregon line, embracing the region about Lake Tahoe, Sierra, Honey Lake, and Surprise Valleys. In November, 1863, he was elected Captain of the Alvarado Guards, which position he held until the general disbanding of the military companies of the State, by Governor Haight, in 1867. He united with a company in 1870, in building a beet-sugar factory in Alvarado, which proved an utter failure, as the management

fell into incompetent hands. A second factory built on the same ground, under a different management has proved a success. In 1874 he moved with his family from Alvarado to live on a farm he had bought some few years before, near Altamont, Murray Township, and also to take charge of some landed interests that he held there in common with other parties. The method of summer fallowing, which was not in vogue here except on his own farm and in a very few unimportant cases, he made compulsory on the lands under his charge, where from being almost non-producing, they now raise under this method a fair remunerative crop. Many other farmers have followed the example, and summer fallowing, among successful farmers, in all places adapted to it, is now rather the rule than the exception.

EBENEZER HERRICK DYER.—The subject of our sketch, whose portrait will be found in this work, deserves a high place in the history of Alameda County, for in the promotion of her resources, upon which her present prosperity and her future welfare depend, no man, among all those honorably mentioned in this work, has labored with greater zeal and more untiring energy. Coming here in the infancy of the county he was quick to see her necessities and her possibilities, and with the push, energy, and determination of purpose that have always characterized him, he has stood in the face of, to ordinary men, unsurmountable difficulties, and has succeeded in raising his own limited fortune to ample proportions, and in establishing an industry in our midst the possibilities of which, not only to our county, but to the whole coast, no human foresight can to-day set the bounds. The "Standard Sugar Refinery" at Alvarado is a monument to the success of Mr. Dyer, in the manufacture of pure sugar from the sugar-beet, the abundant product of our fertile valley. Millions of dollars are annually sent abroad for sugar, and the consumption is increasing at a rapid ratio. This success shows that push and energy are what are needed to make the business a success in this country, and to keep for our own people the millions thus sent abroad. The "Standard," under Mr. Dyer's management, yearly throws on the market one and a half million pounds of pure white sugar—not such as the early article manufactured, but pure and well refined, equal to the best of cane. This work; this grand result, has been accomplished under the most discouraging conditions for man to encounter, and succeed. Failure has succeeded failure all over the United States, but Mr. Dyer, since he first became connected with the business, in 1869, has "stayed" with it, at times venturing his all upon its success, taking the stand that, with proper management, and an understanding of the business itself, it might be made an abundant success. He claimed that our conditions of climate, our people, and our mode of doing business were not properly understood by the foreign sugar-makers that have heretofore generally had the management of this industry, and his success justifies those views. Standing as we do to-day upon the summit, and viewing the fruits of the energetic, strong, and pushing character of the subject of our sketch, we are lead to inquire the origin and life of such a man. Ebenezer Herrick Dyer was born at Sullivan, Hancock County, Maine, April 17, 1822; he descended from the Cushings, Sawyers, Thorndykes, and Dyers, who were among the first English colonists of New England. Ephraim Dyer, his grandfather, was a soldier of the Revolution. With an education afforded by the public schools of his youth, he was early thrown upon his own resources, which, with the stern teachings of New England life, soon developed his active mind and formed a symmetrical, energetic, and pushing character. He embarked in business in his native town as a merchant, which he soon enlarged so as to embrace the lumber business and the operation of the Sullivan Granite Quarries, which he conducted on a scale commensurate with his energy. While operating these quarries he furnished large quantities of granite for the Government in different parts of the United States. Seeking a wider field he came to California, *via* the Isthmus, in 1857, and finding a promising new country, he returned in the fall of the same year for his family, consisting of a wife and two children. He arrived the second time in April, 1858, and settled at Alvarado, where he has since resided. He first engaged

for a short time in stock-raising. In the fall of 1859 he was elected County Surveyor of Alameda County, and re-elected in 1861. In the latter year he was appointed United States Deputy Surveyor by Surveyor General E. F. Beale, and served in that capacity, under various Surveyors General, for about ten years. In 1869 he first became connected with the beet-sugar business at Alvarado, in connection with some of the leading men of our State. The first attempt at the business was not a success, its management being in the hands of Messrs. Bonesteel and Otto, two men brought out by the first company from Wisconsin, as "experts," to manage affairs. Mr. Dyer, although not a sugar-maker, or with any previous knowledge of the business, by his connection with this first attempt, gathered information which led him to believe that, under proper management, the new enterprise could be made to succeed; so strong, in fact, was he impressed with this idea, that, when the first company left, in 1871, for Soquel, he bought the factory buildings, with lands adjacent, with the expressed purpose of making a success where a failure had been, and regaining the money he had lost in the first attempt. The repeated failures in the business heretofore throughout the United States made capitalists timid, and it was not until 1879 that Mr. Dyer succeeded in enlisting others in the enterprise with sufficient capital to make it a success. In 1876 he was chosen by the Second Congressional District of California as a delegate to the National Republican Convention at Cincinnati, Ohio, which he attended. At that time he traveled to the places of note in the East, with his family, taking in, of course, Washington and the Centennial Exhibition. In 1879 he succeeded in forming the Standard Sugar Manufacturing Company, for the purpose of manufacturing sugar from beets, at the locality of the first attempt, at Alvarado. He was appointed and remains at present General Superintendent and Business Manager for the company. The name of the corporation is now the Standard Sugar Refining Company, and of its success it is hardly necessary to speak, but it may be mentioned that the earnings of the company last year were thirty-three per cent. on the amount invested. So much has energy, perseverance, and pluck accomplished, where failure was and had been predicted again and again.

HARMAN EGGERS.—Was born in Germany, April 19, 1823, and was there educated. At sixteen years of age he commenced to learn the trade of bricklayer, and in 1844 emigrated to the United States. Locating in Perry County, Missouri, he there passed the winter of 1844-45, and in the spring moved to St. Louis, where he worked at his trade for a time. In 1853 he crossed the plains to California with Mr. Blacow, and arrived October 21st, settling at once on his present estate, comprising one hundred and ten acres. Married, in St. Louis in 1852, Miss Mary Durreng, a native of Germany, and has: Louis H., Edward H., Matilda, Frank, Alice, and Helen.

SOLOMON EHRLMAN.—Was born in Lichtenfels, Bavaria, March 4, 1846, where he received a common school education, and afterwards finished his scholastic training at the Fürth College. In May, 1863, he started for the United States, and first landing in Baltimore, there sojourned for two months. At this time he sailed for California, *via* the Isthmus of Panama, arriving in San Francisco September 3, 1863. Coming direct to Mission San José he there joined his brother, Max. Ehrman, but subsequently moved to Suisun, Solano County, where he was in business four years. Eventually returning to Mission San José, he there entered into partnership with Leopold Bachman, the latter of whom retiring on September 1, 1880, was succeeded by A. Lebrecht, the style and name of the firm being Ehrman & Lebrecht. The history of this firm, which is very interesting, we give as follows: The original firm was founded in 1854, by S. Strauss, Leon Ehrman, and S. Bachman, under the firm name of Strauss & Co. They occupied an adobe building on the site of the present store. After about two years, Strauss withdrew. The remaining partners kept "Bachelors' Hall," Ehrman attending to the store while Bachman peddled with a wagon. While the latter traveled over the country, he had many adventures, the details of which would be interesting as illustrations of life in California before it had become so com-

pletely Americanized as in later years. Upon one occasion, a native Californian lord, desirous that his household should appear in raiment, ample as well as rich, asked the traveling tradesman what he would take for his entire stock. Upon being informed—a large enough price of course—the trade was immediately consummated, and the wagon emptied, the purchaser taking his chances as to the nature and style of the goods, and the seller returning to headquarters for another load. In 1864 they bought out the business and stock of Musser & McClure, and moved across the street into the place occupied by the latter firm, an adobe building on the church property. There was no change in the firm until 1868, when Mr. Ehrman withdrew, and his nephews, Max and Solomon Ehrman, were admitted to the partnership. On July 4th, they moved into the new frame building which they had erected on the west side of the street, at a cost of five thousand dollars. On the night of opening a grand ball was given by the firm. It was a magnificent affair, and probably the largest ball ever in the valley. Everybody was invited, and everybody came. Even the babies could not stay at home, and a considerable number of the drawers and shelves were utilized for cribs. In the great railroad accident at Simpson's Station, October 14, 1869, Max Ehrman was killed. In December of the same year Mr. Bachman retired, and his brother Leopold, together with Charles Adler, were admitted to the partnership. Adler soon withdrew, leaving the business to Solomon Ehrman and Leopold Bachman, who continued under the firm name of Ehrman & Bachman until the late change, a term of nearly eleven years. Mr. Lebrecht, who succeeded Mr. Bachman's interest, is a brother-in-law of Mr. Ehrman. He was formerly a resident of this State, but had lived in North Carolina. Married, December 11, 1870, Miss Lina Lebrecht, a native of Nüruberg, Bavaria, and has three children, viz.: Alfred M., Alexis, and Mattie.

FREDERICK G. EIBEN.—Was born in Germany, November 3, 1848, and there resided until he attained the age of seventeen years, at which time he emigrated to the United States, and settling in New York City, there followed the grocery business until his coming to California in 1876. Locating in Oakland, he opened his present store under the style of Eiben & Steen, the latter of whom retiring in 1878, A. J. Nor became associated with him in the concern under the firm name of Eiben & Nor, Oakland. Married, October 2, 1870, Miss Frieda Petersen, a native of the city of Lubeck, Germany, and has one child, Etta, born in West Oakland, November 29, 1877.

ROBERT WILLIAM ELLIOTT.—Born in Clay County, Missouri, August 9, 1831, where he was educated and resided until 1856. In that year he crossed the plains with ox-teams and a drove of cattle, and arrived in Solano County, California, in the month of August. Having settled, in the first instance, near Dixon, he embarked in the stock business, and followed it until 1865, when he turned his attention to general farming and the culture of the vine. He afterwards was for some time engaged, and is still interested, in coal-mining in Oregon. In 1873 he discontinued his operations in Solano County, and in the following year took up his residence in Oakland, where he has since resided. Married July, 1855, Miss Josephine B. McDonald, and has: Adelaide McDonald, Mark L., and Richard H.

JAMES EMERSON.—Was born in Swinton, Yorkshire, England, October 25, 1821, where he resided and followed farming until April, 1851, in which month he sailed from Liverpool for the United States. Landing in New Orleans in May of that year, he soon proceeded up the Mississippi to St. Louis, but afterwards located in St. Clair County, Illinois, where he farmed until April 5, 1853, when, joining a train (among which were Robert and John Blacow and Herman Eggers and their families), he crossed the plains to California with ox-teams. Arriving at Mr. Blacow's ranch October 20, 1853, Mr. Emerson started out to find work. After a year's service with Mr. Blacow, he leased land of Lyman Beard, and farmed until the fall of 1857, when he purchased the place opposite that now owned by Mr. Gallegos, where he remained

until 1868, then selling out, he bought his present property, consisting of seventy acres, situated about a mile and a half from Centreville, where he is engaged in general farming and fruit-raising. Married in April, 1862, Miss Anna Eggers, a native of Germany; and has seven surviving children, viz.: Nellie, Annie, Louisa, Julia, Alice, Ralph W., George I.

JOHN M. ENGLISH.—The subject of this sketch, whose portrait appears in this work, was born in Hagerstown, Washington County, Maryland, February 17, 1834. At the age of five years he was taken by his parents to Jefferson County, Western Virginia, and there received his education and resided until his leaving for California, in 1851. On the 4th December of that year he sailed from New York on board the steamer *Phymetes*, and proceeding by the Nicaragua route, finished the voyage in the *Independence*, arriving in San Francisco January 7, 1852. Mr. English at once settled on a farm near Centreville, Alameda County, which is now occupied by George Patterson, where he remained one season, when he moved to an estate on the San Lorenzo Creek, where he farmed until 1857, when he transferred the scene of his operations to the property where he now resides, purchased by his uncle, Samuel B. Martin, the tract so acquired being one league square. The portion occupied by Mr. English is situated two miles and a half north from Pleasanton, and comprises three hundred and twenty-five acres of fine land. In Mr. English we have one of nature's truest noblemen, a man whom it is an honor to know, and whom to know is to appreciate. Married in San Francisco, in 1869, Miss Leta, daughter of Captain Smith of Sonoma County, by whom he has four surviving children, viz.: Frederick, Genevieve, John, and Ada.

ADAM FATH.—Whose portrait appears in this history, was born in Bavaria, Germany, November 20, 1821, and there resided until he attained the age of twenty-five years, having learned the trade of shoemaker with his father. In May, 1846, he determined to emigrate to the United States; therefore, taking ship at Bremerhaven, he sailed to the "Land of the Free," and first found employment in Buffalo, on board a steamboat. In the following year he enlisted in the United States Army (Ordnance Department), and, with his corps, proceeded to and took part in the Mexican War, after which he came to the Pacific Coast; and to California with Captain C. P. Stone, who was detailed to establish an arsenal at Benicia (now Solano County). In the establishment of that post Mr. Fath took part, and there was quartered for some time. May 27, 1853, being mustered out of the service, he then went to Fort Point, where he helped to land the first seven cannon, at the time of the Crimean War, in 1854. Then he returned to Benicia and took charge of the Government stock, under Captain Cleary, Quartermaster, for two years. Then he betook himself to dairying, and so continued until 1859, when he transferred his location to Alameda County, and first settled on land now owned by Charles McLaughlin, about six miles from Livermore, on the Azro Bayo. There he resided until the fall of 1864, when he came to Livermore, took up a claim of one hundred and sixty acres of land—his pay for Army services—on which he now resides. Married in Vallejo, Solano County, California, in 1857, Miss Mary Feehely, a native of Ireland, and has six children, viz.: John A., Valentine, Mary M., Annie M., Frederick W., Louisa L.

ANTONIO FONTE.—Was born in the Western Islands, in the year 1826, where he resided up till he attained the age of twenty years, at which period he commenced a seafaring life. This occupation he followed three years, two of which he passed in the East Indies. In 1851 he hied himself unto the Land of Gold. Settling in San Francisco in March, he obtained employment in a warehouse at Clark's Point, and there remained until the month of October. Mr. Fonte now engaged in the milk trade, carrying it across the bay from San Antonio (now East Oakland), to San Francisco, in a whale-boat. While thus employed he made the acquaintance of the late James B. Larue, by whom, in the month of December, he was engaged as an assistant. At the end of two years and a half our subject started a boarding-house on the site

where now stands his store, which he carried on, save for four months during the years 1855, until 1861, when he built and opened his present establishment, which he still conducts, situated at Nos. 800 and 802 East Central Avenue, East Oakland. Married January 20, 1856, Miss Rosanna Lyons, and has five children, viz.: Henry, Maria, Joseph, James, Anna, surviving.

SAMUEL FRANCIS.—This well and favorably known merchant tailor of Oakland is a native of Belfast, Ireland, born in 1846. He remained in his native country until 1863, serving an apprenticeship the latter four years to the tailor's trade. In the above year he emigrated to Toronto, Canada, and two years later removed to Chicago, Illinois, and there resided until the fall of 1871, when he came to the Pacific Coast, selected Oakland as his future home, and opened up his present successful business at No. 1006 Broadway, where, after a residence of twelve years, through honesty, integrity, and strict business principles, he enjoys the confidence and esteem of the whole community in which he resides. Mr. Francis was united in marriage, December 18, 1870 to Miss Jessie Douglass, a native of Canada. By this union they have one child, Frederick J.

JOHN L. FRESE.—Was born in Bremen, Germany, April 15, 1831. Being not yet eighteen years of age, he emigrated direct to California, making the passage in the brig *Express*. On arriving in San Francisco he crossed the bay to the region then known as the Contra Costa, and located, in 1849, on what is now the line of Adeline Street, in the city of Oakland, on the place lately owned by Mr. Briggs, situated between First and Second Streets; it was called the Old Ranch. He there engaged in farming, and was the first to raise potatoes in what is now Oakland Township. In 1850 he moved to the place which went by the name of the "Old German Corral," which stood on land now defined as between Fourteenth and Sixteenth Streets, where he resided between six and seven years. He then moved up town to where the town site then was, and kept a restaurant and lodging-house on Broadway. In 1865 he purchased his present property, consisting of four large lots, located on Railroad Avenue and Bay Street. Married in Oakland, in the fall of 1860, Miss M. Weingthr, a native of Germany, and has two children: Carl J. and Louisa.

J. HOMER FRITCH.—Was born in San Francisco, California, May 31, 1854, and is the son of George and Margaret (McKew) Fritch, the first of whom arrived on the Pacific Coast from St. John's, New Brunswick, in 1850, as the master of a ship, and the latter from Australia in the famous year '49. After passing from 1866 to 1868 in St. Mary's College, San Francisco, our subject entered the Oakland Collegiate School, and went through a full course of three years and a half under F. M. Campbell, the late State Superintendent of Public Instruction. For the next fourteen months he was in the employ of J. T. Millikin of San Francisco, after which he entered the service of R. D. Chandler, wholesale coal-dealer, having risen during his employment to the position of head book-keeper; then, in 1878, he commenced business in Oakland as importer and dealer in wood and coal. He married, November 8, 1880, Miss Mary W. Lippitt of Petaluma.

ELIJAH FOSTER.—Was born in Yorkshire, England, November 26, 1828, and farmed there until February 2, 1850, when he sailed for the United States, arriving in New York, March 28th of the same year. Remaining in Geneva, New York, until December, 1853, he then took passage in the *Northern Light*, and crossing the continent by the Nicaragua route, on the Pacific side, sailed in the *Sierra Nevada*, finally landing in San Francisco, December 31, 1853. A few days later he crossed the bay to Mission San José, and finding employment in Union City, there remained for a time. Mr. Foster next took a spell at the mines until the following summer, when he returned to Alameda County, worked at different occupations until 1861, and in that year purchased the place he now occupies, consisting of one hundred and twenty acres, situated near Murray's Landing, where he is engaged in general farming and stock-raising. Is married, and has one daughter, Mary A., and an adopted son.

PHILIP J. GERHARDY.—Whose portrait appears in this work, was born at the Castle of Hardenberg, Hanover, Germany, February 22, 1841, and is the son of Prof. H. Gerhardt, a graduate of Heidelberg; residing in his birthplace until 1855, when he came to America on a pleasure trip, but on his arrival in New York, being so favorably impressed with the city, he concluded to seek his fortune in the New World, and immediately found employment in a large tea store, where he remained for three years. He then, in 1858, concluded to come to California, and with a company of young men he came, *via* the Isthmus of Panama, from whence he sailed for San Francisco, and there found employment in the Mint Market for about two months, when he started a similar business for himself, in which he was very successful, making some \$30,000 in sixteen months. He then sold out, and proceeded to the Russian River, where he engaged in the stock business; purchasing a large number of cattle, he drove them to Sacramento, where he met with a serious loss in the drowning of most of his stock at the time of the flood in that city in 1862. He then returned to San Francisco, and engaged in the butcher business, and thirteen years ago transferred his business to Oakland, and opened his present shop at Nos. 829 and 831 Broadway. As proprietor of the well-known San Francisco Market Mr. Gerhardt, in early times, has met with many reverses, but with a strong will and strict integrity he has surmounted them all, and is now in easy financial circumstances, and doing a prosperous business. With an exceedingly generous nature he lends a helping hand to all charities, and is highly respected by all who know him. At the age of forty years our subject was married to an estimable young lady, the daughter of Elder G. W. Kinkada, a graduate of the Woodland College, Yolo County.

WILLIAM P. GIBBONS, M. D.—Was born in Wilmington, Newcastle County, Delaware, April 19, 1812, and is the son of William Gibbons, M. D., and Rebecca (Donaldson) Gibbons. Having resided with his parents, and from them received a careful early training and education, he subsequently learned and followed the printing business for several years. Mindful of the necessity of a more liberal education, he also attended during this period medical and scientific lectures in Philadelphia, and became a member of the Philadelphia Academy of Natural Sciences, which institution has ever afforded the best opportunities for study and investigation in every department of science. It was here that botany became a specialty, outside of his subsequent profession. Failing in health, he returned to the county of his birth, and farmed there until 1839, when he was induced to take charge of a seminary for young ladies, at Poughkeepsie, Dutchess County, New York, a position he held until 1849. During his tenure of this office he assiduously devoted himself to the study of medicine, and, by more than ordinarily close application, was enabled to graduate in the year 1846 in the University of the city of New York. In the last-mentioned year, aided by Messrs. Kelly and Pratt, two lights of the "fourth estate," Dr. Gibbons made a raid upon the ancient Lancashire School system in Poughkeepsie, and by a series of well-planned and successful attacks carried war into the camp of the enemy, overthrew the pernicious method of a by-gone antiquity, and succeeded in establishing the free school system, which has, far and wide, become a pride to our country. For four years the Doctor served as President of the Board for the management of this system, which he had been instrumental in creating, with the gentlemen above named. In the month of December, 1852, he sailed from New York, per steamer *Uncle Sam*, to the Isthmus of Panama, where he was attacked with cholera, then so prevalent among the emigrants, who were detained by thousands in that pestiferous climate. The Doctor says that he shall ever remember with gratitude the kindly act of the late W. C. Ralston, who carried him in his arms from the hotel to the beach, when he was so enfeebled by disease as to be unable to walk. It is truly by such happy actions that friendships are cemented and recollections are perpetuated. From Panama he sailed on the *Cortex*, Captain Crocker, on that memorably disastrous voyage,

during which fifty-eight of her passengers were buried in the ocean, as many more having succumbed to the cholera on the Isthmus; and shortly after landing, on January 3, 1853, he commenced the practice of his profession. This he continued until 1856, when he moved to Columbia, Tuolumne County, and lo! here the old Lancashire School system flourished like a green bay tree. To attack it was second nature with the Doctor; aided by a few citizens, in a little while the free school system was inaugurated, a brick school house was built, and accommodation provided for the instruction of two hundred children. Doctor Gibbons resided in Tuolumne County until 1862, when he made a trip to Mono County, and finally took up his quarters in Aurora, Esmeralda County, Nevada; moving therefrom, however, in 1863, to Alameda County and town, where he has since practiced his profession. At the incorporation of the town of Alameda, in 1872, Doctor Gibbons was elected to the position of President of the Board of Education, and was mainly instrumental in the organization of the present school system for which that town-township is so deservedly famous. Married, March 5, 1835, Mrs. Mary Robinson, a native of New York City, the ceremony being performed in the good old Quaker fashion, while their marriage certificate has on its face no less than *one hundred and thirteen* names. The family now surviving by this union consists of three sons, viz.: Robinson, Alfred, and William.

WILLIAM T. GIBBS.—Was born in Howard County, Missouri, June 6, 1829, and is the son of Frederick and Elvira (Fields) Gibbs. Receiving his early schooling, and having served an apprenticeship to the blacksmith's trade there, in 1850 he started for California by way of the plains and at once proceeded to El Dorado County, where for twenty-seven years he was chiefly engaged in mining, six years of which he filled the office of Justice of the Peace, and for several years was a Notary Public. In 1877 he took up his residence in Alameda County, and commenced his present business of blacksmith in Oakland. Mr. Gibbs has always been an active Republican, and is at present Chairman of the City Republican Central Committee of Oakland. Married, November 10, 1851, Cynthia A. Turner, by whom he has eight children, viz.: Elizabeth, Elvira, William T., Jr., Olive, Alice, Mary, Andy I., and George D.

COL. E. M. GIBSON.—Of the thousands of young men, who, at the outset of the Rebellion went promptly forward at the call of their country's distress, and who fought heroically through that contest for the supremacy of the Union and the preservation of national honor, there was no one who responded more enthusiastically to the call, or who bears more lastingly the evidences of service well rendered than the subject of this sketch, Col. E. M. Gibson. It is not that his heroism was of any more distinguishing quality than that of his comrades, for all were heroes; but that he was one of that vast army of patriots who proffered their lives for a bulwark against oppression and dissension, and, as such, won for himself the meed of praise that is befittingly ascribed to those both dead and living, whose sacrifices have ennobled the inheritance of manhood in this country. Colonel Gibson is a native of Hamilton County, Indiana, where he was born on the 13th day of June, 1842. His parents were natives of North Carolina, and were of the old Quaker stock. They reared their children in accordance with the strict principles of worth and integrity, which are the grand foundation-stones of that most pure and elevating faith. The grandfather of our subject was a Revolutionary soldier, and a pensioner to the day of his death for service rendered in that war. His grandmother on his mother's side was a near relative of the late E. M. Stanton, the distinguished Secretary of War. His father moved to Indiana while the country was yet new, and won for his family, by industry and thrift, a moderate competence for their support. Col. Gibson's opportunities for an education were necessarily limited, as the country was but poorly developed, and log school houses with benches, desks of slabs, with one end of the room devoted to a fire-place, greased paper for window-panes, and the rudest facilities for instruction—were as much a part of his early experience as of many another Western boy who has risen to positions of honor

and trust, if not to fame. His success to-day is due to his own resolute and steady diligence, to an inherited practical talent and a manly integrity, the best patrimony ever bequeathed by parent to child. In the midst of the slavery agitation his father, true to the principles of his religion, cast his fortunes with the growing party of freedom, and the son, while yet a boy, following in the footsteps, likewise formed an ardent attachment for the party of liberty and Republican ideas. At the age of eighteen, when the war broke out, he enlisted as a private soldier in Company A, 19th Indiana Volunteers, and soon went with his regiment to Washington City, which was then menaced by the Confederate Army encamped within sight of the capitol. He served with his regiment in the Army of the Potomac, participating in the battles of Gainesville, Second Bull Run, Chantilly, South Mountain, Antietam, First and Second Fredericksburg, Chancellorsville, and many skirmishes and engagements, including Pope's celebrated retreat from the Rapidan River to Washington City, when the army was under fire for twenty-one consecutive days. Finally, at Gettysburg, that contest which broke the backbone of the Rebellion, he fell at the head of his men in one of the first battles, with his right ankle so badly shattered by a grape-shot that amputation became necessary. It was thus that this youth, who went out in strength and vigor from his fond, early home, at the call of his country's distress, returned four years later scarred and crippled, and in suffering and experience veritably a veteran. Compelled by his disability to engage in an occupation of a professional character rather than in agricultural pursuits, which had been the delight of his early years, Col. Gibson chose the law. Returning to Washington City, he spent two years in the Columbian Law College, at the end of which period he graduated with honor, and was admitted to practice in the Supreme Court of the District of Columbia. For six years he was employed in one of the Executive Departments at Washington, during which interval he married. He came to this coast in 1870; practiced law in San José, San Francisco, and Oakland, and for the last three years has been District Attorney of Alameda County. How well and how faithfully he has discharged the duties of that office the public well understand and appreciate. Such are the leading incidents in the life of this patriotic citizen, who has always maintained an elevated standard of morality and political honesty. In 1882 he received the nomination of the Republican Convention for the office of Railroad Commissioner of the Third Railroad District, and made an active canvass of the southern half of the State, making forty-seven speeches in twenty different counties. He was defeated, as the State went overwhelmingly Democratic at the election, but ran about four thousand votes ahead of his ticket. He is now out of politics, and engaged in the practice of law in Oakland, and is living a quiet, happy life. His most amiable and excellent wife and three bright charming little daughters, are devotedly attached to him, and make his home on Jefferson Street one of the most happy in Oakland. He delights in study and gives much time to reading history and literature, being a man of refinement and of a sympathetic nature and very temperate in his habits.

J. C. GILSON.—Was born in Rockingham, Windham County, Vermont, May 23, 1844. He received an elementary education in the common and academic schools of his own State, and subsequently spent about two years as a student in Amherst College. Mr. Gilson began teaching at the age of seventeen years, and successively taught in the States of Vermont, New Hampshire, and New York. From the latter State in the spring of 1869, he came to California and engaged in teaching in Alameda County, and continued in his chosen profession until elected County Superintendent of Schools in 1877. Having served the county for a term of two years, he was at the following election re-elected for three years, but resigned the office in March, 1882, to take the position of Superintendent of the Oakland city schools. He is married and has two children.

HON. JOHN RAGLAND GLASCOCK. Was born in Panola County, Mississippi, August 25, 1845; thence he removed, with his parents, to North Carolina, and after-

wards to Virginia. In 1856 he came to California, and from that time until 1858 lived in San Francisco. In the latter year the family settled in Oakland, where Mr. Glascock entered the Durant School, then under control of the Rev. Henry Durant, the father of education in this State, the founder of the College of California, and the leading spirit in the formation of the University of California. Under the influence of this wise and guileless old man Mr. Glascock was prepared for college, which he entered in 1861. He graduated in 1865 as valedictorian of his class. At school and in college he showed a quick and ready mind, and gave promise of intellectual ripeness, which promise his manhood has amply fulfilled. After graduation he read law in his father's office; but wishing for more advantages for legal education than our young State then possessed, in 1867 he went East, and entered the law school at the University of Virginia, where, by close application, he compressed a two years' course into one year. Returning to this State in 1868, he was admitted to the practice of law by the Supreme Court, and immediately entered into practice with his father, W. H. Glascock, with whom he has remained ever since. In the spring of 1875 he married Miss Mary Wall, a daughter of Jesse S. Wall, a prominent citizen of Oakland. The result of this union has been two children, both having been born in this county. Mrs. Glascock is an intelligent and accomplished lady, well known through her literary work, and, particularly, as being the author of an interesting novel entitled "Dare." In the fall of 1875 Mr. Glascock was elected District Attorney of Alameda County by over eight hundred majority, being the first Democrat elected in the county for many years. He served the people faithfully and conscientiously, satisfying all by his integrity and good work, and, upon the expiration of his term, declining a second nomination, returned to the practice of law. In 1880, much against his inclination, the nomination for Congress in the Second Congressional District was forced upon him by the Democrats of that district. He recognized the impossibility of success, but, true to his idea of duty, having accepted, he literally took off his coat and went into the fight; and, though defeated, succeeded, through personal popularity, and a most thorough canvass, in very largely reducing the majority against him. In 1882 he was selected by the Democratic State Convention as a nominee for Congress from the State-at-Large by the handsome vote of three hundred and eighteen out of four hundred and fifty-seven members constituting that body. He made the most extended canvass of the campaign, speaking in almost every county in the State, and was elected by over thirteen thousand majority. During the campaign he earned a well deserved reputation for oratory. He is a fluent and powerful speaker, drawing a crowd by his personal magnetism, and holding them well. He is yet a young man, and a brilliant future is predicted for him in Congress. He occupies a high position at the bar as a good pleader and logical reasoner; and in politics, he stands forth as an incorruptible man, ever on the side of the people, and against special privilege and injustice. He is bold in enunciating his principles, and firm in maintaining them. Mr. Glascock is justly considered one of the leading young men of the State. Alameda has now the first representative, elected from her county, in Congress—one who is identified in every way with her interest, and alive to her welfare; a man upon whom she can fully rely, as a mother upon the strength and intelligence of her son.

GEORGE GODFREY.—This old pioneer of the Golden State is a native of Windsor, Berkshire, England, and was born October 20, 1815. The first twelve years of his boyhood were spent in his native village, when he went to London and first found employment in a coffee store, where he remained for two years. Our subject then engaged in a saw factory, where he worked for the following eight years. In the fall of 1825 he enlisted in the reserve battalion Rifle Brigade, and was stationed at Dover, from whence he was ordered with his regiment to Halifax, Nova Scotia, where he remained some four years. Then purchasing his discharge, he came to the United States, and first located in Boston, Massachusetts, arriving there in 1846. Then he was employed on a lighter, unloading vessels, until the summer of 1849,

when he concluded to seek his fortune in the Golden State, and he accordingly took passage on board the *Leopard*. Coming *via* Cape Horn, he arrived in San Francisco June 14, 1850. Unlike most of the early Californians, Mr. Godfrey did not make his way to the mines, but located in San Francisco, and engaged in the laundry business, in which he was very successful; and, at the close of fourteen years, with strict economy and close attention to business he found himself possessed of an ample fortune. He sold out his laundry, and a short time after opened a real estate office on Howard Street, San Francisco, which business he still continues. He is well known in San Francisco and Oakland as a man of the strictest integrity, and highly respected by all who know him. Mr. Godfrey was united in marriage in Boston to Miss Jane Outhwait, and after a union of unalloyed happiness of thirty-seven years, they were separated on the 24th of February, 1883, when, on the above date, his dearly beloved wife departed this life. Mr. Godfrey has ever since his arrival in Alameda County been a resident of West Oakland; but in the summer of 1883 he began the erection of an elegant residence on Market Street, between Ninth and Tenth, in which he will spend the remainder of his days in that comfort which always follows a well-spent and prosperous life.

THEO. GORNER.—The subject of this sketch came to California in the year 1866, resided in Oakland, Alameda County, until 1873, having settled there in 1871. Moving to Livermore, he purchased the harness shops of George A. Beebe and C. N. Lewis, and in 1877 built his present establishment at the corner of First and J Streets, where he carries on a general harness and saddlery business. During the year 1878-79 he officiated as Town Clerk of Livermore. Is married, and has four children, viz.: Dora, Katie, Walter, and Alma.

ARTHUR JAMES GREENE.—Is the son of Ransome and Susan (Dyer) Greene, and was born in Willett, Cortland County, New York, February 19, 1857. Having, at the age of nine years, been moved to Cortland by his parents, he there attended the Cortland Academy, which leaving, he established himself in the drug business, which he continued until coming to California. In August, 1878, Mr. Greene located in Alameda, and opened his present drug store. He married, November 29, 1882, Miss Ella C. Megerle.

THEODORE GREENE.—Was born in Willett, Cortland County, New York, May 6, 1847, and is the son of Ransome and Susan (Dyer) Greene. He resided in his birthplace, going to school, and laboring on a farm until his eighteenth year, when he entered the Cortland Academy. After a two years' course, he commenced clerking in a drygoods store, and followed it three years, when he began business for himself in Cortland, the County seat, with S. E. Welch, under the firm name of S. E. Welch & Co., which was continued until the departure of our subject for California, in 1876. In April, 1877, he established himself in Alameda, where he now resides. Married, in 1872, Miss Adele Mehan, by whom he has no issue.

HENRY C. GREGORY.—Is a native of the State of New York, having been born in Hudson, on the banks of the beautiful river of that name. His earliest years, however, were passed in Schoharie County, whence, at eleven years of age, he was taken by his parents to Sullivan County, where our subject went to school, engaged in mercantile pursuits, and resided until December 27, 1859, when he proceeded to New York City, and on January 3, 1860, sailed for California, bringing with him one hundred and nine hives of bees, intending to sell them, and return. But how true is the axiom, that "the best laid plans, 'mongst mice and men, gang aft agley." Arriving in San Francisco on February 1, 1860, he went to Marin County, there bartered his apiary for two sloop-loads of fence-posts, which taking to Main Prairie, in Solano County, where after paying freight and expense of piling, the floods came and swept it all away; he then returned to the Bay City. In the spring of the year he came to Alameda County, learned telegraph operating, took charge of the office in Oakland, was two months later moved to San Leandro, and three weeks after

opened the office in Centreville, where he remained three months. At the expiration of this time he was transferred to Lake Tahoe, where he had charge of the telegraph office there for eighteen months; but now Mr. Gregory made up his mind to try his luck at the mines, he therefore proceeded to Reese River, Nevada; but finding, at the end of a twelvemonth, he had lost \$3,000, he changed his camp to John Day River, and during the first year there made about \$40,000; but the next year, through unprofitable investments—chiefly in the purchase of a ditch, for which he paid \$45,000, and two years after sold for \$2,000—he lost all. He then, in 1865, came to San Francisco, and found employment with B. C. Horn, as traveling salesman. Two years later he opened a cigar store at the American Exchange, and at the end of two more years returned to Nevada, locating at White Pine, where he opened a tobacco business, being also engaged in mining for a twelvemonth. Mr. Gregory now returned to Centreville, purchased the store of C. J. Stevens, conducted the business there until 1878, during which time he accumulated a good deal of money, and then selling out, bought the "Niehaus Ranch," and embarked in farming; but this property he has since sold, at the present time owning but fifty acres of the original purchase. While in business at Centreville Mr. Gregory held the office of Postmaster for eight years. We next find our subject conducting the New York Exchange, in San José, where he remained until his opening the Gregory House, at Centreville, one of the best hotels in the county, in connection with which he has a livery stable. Mr. Gregory has been twice married, and has three children, viz.: May, Amy, and George.

CHARLES HADSELL.—The subject of this sketch is an old resident of Alameda County, having arrived within its boundaries before it was segregated from the counties of Contra Costa and Santa Clara; is a native of Berkshire County, Massachusetts; born December 14, 1832, and is a descendant of the old Pilgrim stock, his father being born in the above State, November 5, 1804; and our subject is the second child of a family of five, two sons and three daughters. When but four years of age his parents moved to Chenango County, New York, where they remained for two years, and then took up their residence in Brown County, in the same State, where our subject resided until nearly eighteen years of age. September 3, 1851, Mr. Hadsell concluded to seek the land of gold, and accordingly took passage on board the steamer *Illinois*, via Chagres River, and after a weary journey on foot across the Isthmus of Panama, where he took passage on board the steamer *Panama*, and arrived in San Francisco, October 22d of the same year. On landing Mr. Hadsell, like most pioneers, immediately proceeded to the mines in Tuolumne County, and embarked in mining until October 9, 1852, when he abandoned the mines and came to this county, first finding employment at Beard's Landing, in Washington Township, where he remained until the fall of 1853; when, after one year spent in Santa Cruz County, he finally located in Santa Clara County, and followed agricultural pursuits until the year 1862, when he moved to Suñol Valley, Alameda County, where he has since purchased a magnificent farm, on which he resides, honored and respected by the whole community in which he lives. Mr. Hadsell was united in marriage, April 16, 1868, to Miss Anna Maria Kolb, a native of Germany, by which union they have three children, viz.: Bertha A., Charles F., and Annie M.

ISRAEL BIDDLE HAINES.—Whose portrait appears in this work, was born in Philadelphia, January 6, 1829, and is the son of Joseph and Achsah (Biddle) Haines. On account of being unfortunate in business Mr. Haines, Senior, put his son in the way of earning his own living at the early age of thirteen years. Commencing on a farm he there remained five years, when he returned home and served an apprenticeship to the carpenter's trade for four years and nine months, afterwards working as a journeyman for two years more. He then left his birthplace, and emigrating westwards made his first halt at New Albany, Indiana; at the end of four months he proceeded to St. Louis and there found employment for twenty-six months more, when he returned

home to Philadelphia. April 1, 1855, he sailed for California in the ship *B. F. Hoxie* and after rounding Cape Horn, arrived in San Francisco after a voyage of one hundred and fifty-two days. A few days after he came to Alameda County, and at once entered the employ of Mr. Black. A twelvemonth after he went to San Pablo, Contra Costa County, rented land and resided on it until October 16, 1862, when he settled in Alvarado, purchased his present place from J. G. Clark, and has since maintained a residence there. Married, March 9, 1870, Miss Charlotte L. Thompson, a native of Point Pleasant, Clermont County, Ohio, who was born in the same house in which General U. S. Grant first saw the light, and has the following family: Edward L., Robert T., Joseph B., Henry S., and Florence May.

CALEB SCOTT HALEY.—Son of Ebenezer Haley, was born in Yarmouth, Nova Scotia, February 16, 1833, was brought up on the farm, and received a common school education until December, 1847. At that time he left home to follow the sea, the usual occupation of the young men of that part of the province, it having been noted for the building and sailing of vessels for many years. His father coming to California in 1849, by the desire of his parents he remained on the farm until October, 1852, when he determined to seek his fortune in California, went to Boston, Massachusetts, shipped as seaman on the ship *Whirlwind*, Captain Burgess. Sailed November 11, 1852, arrived in San Francisco, March 11, 1853, after a fine passage of one hundred and twenty days. Engaged in running on the bay of San Francisco for a short time, with Captain Stephen Larkins, now of Washington Township, in the schooner *Sea Horse*; he not liking that business, abandoned it, and came to the farm where he now resides, and which he afterwards purchased in company with his father in 1856. Returning to his native land in 1876, he married Miss Annie L. Barclay, daughter of the late Andrew Barclay, Esq., of Shelburne Co., Nova Scotia, October 3, 1876, and after a pleasant visit of three months in his native town, from which he had been absent twenty-four years, and which he found almost entirely changed, he felt that there was no longer any home there for him. After visiting the Centennial, and many other places of interest, he returned to California, bringing his fair wife to his old home, where he has remained since 1853, with the exception of that short visit. He has seen many changes during that time, and the greater part of his neighbors have either removed or died since he settled here. He has always endeavored to cast his influence on the side of truth and morality. Has two sons and one daughter.

EBENEZER HALEY, SENIOR.—Whose portrait appears in this work, was born in Yarmouth, Nova Scotia, March 11, 1801. His parents were some of the pioneers of that province, and he was brought up a farmer by them. He first married in 1821, and his wife died in 1824, leaving one son who was lost at sea in 1843. He was married to his present wife in 1832, and has five sons and three daughters, all of whom are settled on the Pacific Coast. He was among the first to leave his native land when the news of the discovery of gold in California came to that country. He and eighteen others sailed from Yarmouth, Nova Scotia, November 22, 1849, in the brig *Mary Jane* of eighty tons burden, laden with lumber consisting of house-frames and various other articles in that line. Among the fellow-passengers and co-operative owners was the late B. B. Redding, and several others who remained permanently in this State. Arrived here in May, 1850, after a passage of one hundred and eighty-three days, twenty-six days of which they were becalmed and placed on allowance of water, they finally reached the Galapagos Islands, secured water and a lot of terrapin which they brought to this market. Went to the mines upon arrival, mined on the Yuba River at Downieville, Minnesota Flat, and in that locality, until November, 1852, during which time he suffered many hardships, and his fellow-miner and brother-in-law, Captain Ebenezer Scott, died there in July, 1851, and he himself was very sick at the same time, but finally recovered. He had the usual luck of the miners of that day, all of whom did not make fortunes. Upon arrival in Washington Township in 1852, engaged in farming until May 1855, returned to Nova Scotia with the intention

of passing the rest of his days on his farm in that place, but after remaining a few months sold his property and removed his family to California—all of them who were at home. One son being already here, and others away at sea who came afterwards from different parts of the world. In November, 1855, settled on the farm where he now resides, with several of his children in the same locality. He is now eighty-two years of age, and with his estimable wife, a woman of much force of character aged seventy-four years, who has been his companion and helpmate for more than fifty years, lives under his own vine and fig-tree, loved and respected by all for his integrity, kindness, and upright character.

JONATHAN E. HALEY.—This well-known gentleman of Washington township is a native of Yarmouth, Nova Scotia, was born June 18, 1837, and is the son of E. Haley, whose portrait appears in this history. His boyhood until eighteen years of age was spent in his native place, part of the time on a farm and the last few years following a seafaring life. In the spring of 1860 our subject shipped on board the *John Land* bound for San Francisco, arriving in the metropolis in June of that year. He came direct to Washington Township, Alameda County, and first found employment at Mowry's Landing. He then found work in different places until 1878 when he purchased his present valuable farm of one hundred and eight acres located one half mile from Newark, where he has since farmed with good success. Mr. Haley was united in marriage in East Oakland to Miss Harriet Kelley, a native of California; by this union they have been blessed with four children, viz.: Ralph W., Amelia A., Alice M., and May A.

W. W. HALEY.—Was born in Nova Scotia, March 31, 1840, and there resided until the spring of 1855, when he commenced following the sea, arriving home in time to accompany his father on his return journey to California, reaching Alameda County in the fall of that year, and settling on his father's farm. He first engaged on his own account for four years in the sheep business in Murray Township, at the expiration of which he returned to Washington Township and purchased a farm about half a mile from Newark, comprising ninety-two acres. October 16, 1868 he married Miss Anna M., daughter of Ashley Cameron of Centreville a native of La Calle, Canada. Continued farming up to the spring of 1882, when finding his wife's health failing fast leased his farm and devoted his whole time to her, who after a brief illness died August 17, 1882, leaving a family of four children, viz.: Azner L., William W., Ida M., and Chester C. After losing his wife he sold a portion of his farm and bought the interest of S. B. Dodge & Co., in their general store in Centreville, where he now carries on business under the style of W. W. Haley & Co. Mr. Haley is a member of the Pioneer Association of Washington, Eden, and Murray Townships.

JOHN HAMPEL.—Was born in the city of Wetter Koin, Hessen, Germany, November 5, 1826, where he commenced to learn the blacksmith's trade at the age of fourteen years. On September 21, 1846, he sailed for the United States, and arriving in New York January 1, 1847, went to work in Herring's Safe Factory, where he was employed as safe-maker for eleven years. Determining now to proceed to the Pacific Coast Mr. Hampel sailed from New York on April 17, 1858, and on the 16th of the following month arrived in San Francisco, crossing the bay to San Antonio (Brooklyn), where he resided four months. On October 12, 1858, he purchased fifty acres of land situated on the Moraga Road, Brooklyn Township, when it was nought but an unreclaimed wilderness, and neighbors were miles apart, and there took up his residence, for the first six years being engaged besides in working oxen. Here he commenced agriculture and reaped in the early years large crops, and has since maintained his dwelling on the place. He married in New York, May 1, 1853, Miss E. Juenger, a native of Germany, and has: Henry F., born February 3, 1854; John W., born April 13, 1856; Conrad F., born March 29, 1859; John H., born March 8, 1861; Katie E., born December 5, 1865; Mary L., born March 24, 1870.

LOWELL J. HARDY.—The subject of this sketch, whose portrait appears in this work, was born in Watham, Massachusetts, July 3, 1817, and is the son of Nahum and Mary (Smith) Hardy, and there resided with his parents until the year 1839, when he moved to Indiana, there teaching school in the city of Madison for one season, when he returned to his native place, and there, July 14, 1842, married Miss Matilda Sproul. He now embarked in farming, and was thus engaged up till the time of his departure for California. Leaving home December 15, 1849, Mr. Hardy took passage from Boston, sailing January 25, 1850, and after voyaging around the Horn, came to an anchor in San Francisco Bay on August 6, 1850, the *Rob Roy* having been considerably delayed on the voyage. Having comfortably located his family at a place then standing at the corner of Clay and Stockton Streets, San Francisco, our subject himself proceeded to the mines, where he remained four months. He next worked at the carpentering trade at wages rating from eight to ten dollars per day, being so occupied until the month of October, 1850, when he purchased one hundred and sixty acres of the Peralta Rancho, but did not obtain legal title for some fifteen years. This property is that on which a considerable portion of the western part of the city of Oakland stands. Here Mr. Hardy has since resided, respected by all his fellow-citizens as an honest upright man. In 1866 he commenced dealings in real estate, which he still continues. He married in the year 1842, as we have said above, and was unfortunate enough to lose his partner by death on October 4, 1865. His family consists of Elizá J. (now Mrs. Holland); Lowell J., Mellium H. Married, secondly, March 30, 1870, Mrs. Mary A. Dillon, a native of Philadelphia.

ANDREW JACKSON HARE.—The subject of this sketch, whose portrait appears in this work, was born in Wooster, Wayne County, Ohio, October 15, 1838, and is the son of John and Katharine (Kiser) Hare. Losing his father when two years old, he accompanied his mother to Reedsburg, in the same county and State, where he attended the common schools of the district, afterwards completing his educational course at the Vermilion Institute, in Hayesville, Ashland County, Ohio. At the age of eighteen years he returned to Reedsburg, and entered upon the profession of school-teaching, in the very hall where he had received the first rudiments of his scholastic training. In 1858, transferring the scene of his operations to Jeromeville, in Ashland County, he there entered the store of his maternal uncle, Simon Kiser, and during the year he was there engaged also performed the duties of Deputy Postmaster. Mr. Hare now determined to try his luck on the sunny slopes of the Pacific; therefore, leaving Jeromeville, on February, 15, 1859, he proceeded to New York, there took passage on board the steamer *Star of the West* for the Isthmus, and continuing the voyage from Panama to San Francisco in the old *John L. Stephens*, cast anchor within the Golden Gate on March 17, 1859. It may be mentioned that the latter steamer took fire on the passage up the coast while racing with the opposition boat, *Uncle Sam*, but the conflagration was easily extinguished. On arrival Mr. Hare soon left the Bay City for the mines on Indian Creek, near Placerville, El Dorado County, where he remained until March, 1868, when he returned to San Francisco. While in El Dorado County he taught school during two terms in 1866 and 1867 at Rose Springs, and one term in 1867 at Clarksville. On arrival at the bay he was engaged in the lumber firm of J. W. Hodgkin & Co., South San Francisco, as salesman and book-keeper, and aided to establish that business there. While a resident there, in 1870, he established and built South San Francisco Lodge, No. 212, F. and A. M., and is one of its charter members. In the last-mentioned year Mr. Hare established himself in the wood and coal business in South San Francisco, in which he continued until August, 1874, when he took up his residence in Decoto, Alameda County. On October 1, 1874, he was appointed agent at that place for the Central Pacific Railroad Company, and as such remained until October 12, 1881, while on June 5, 1875, he was chosen to fill the position of agent for Wells, Fargo & Co., which he held until he resigned the railroad agency. On July 12, 1875, he was appointed Postmaster at

Decoto, and is still the incumbent of that office. In 1874, when appointed agent for the railroad, Mr. Hare also took charge of the warehouse that had been erected at this point by private parties, and in 1878 he purchased the preponderating interest in the concern. In 1876 another warehouse was built by the same parties above mentioned, eighty by forty feet in size, and, leasing it, it has been periodically added to until it now has a capacity of thirty-five thousand sacks of grain. In 1879 he constructed the large warehouse, fifty by two hundred feet in dimensions, with a capacity of fifty-five thousand sacks, while in the fall of 1882 he put up yet another, forty by sixty feet in size, with a capacity of fifteen thousand sacks, making four warehouses in all, with storage room for seven thousand tons of grain. On July 4, 1878, he opened the first store in Decoto, and conducted it until February 12, 1881, when he sold the stock in trade to Beckwith Brothers. In 1880-82 he conducted the Dry Creek picnic grounds, situated near Decoto, and in 1882 established his barley and feed mill, which is now in operation, the product of which he ships to Oregon and other places on the coast. In 1874 he commenced his dwelling-house, and has since added to it until he has now an elegant and commodious residence. Mr. Hare is a member of the A. O. U. W., I. O. C. F., I. O. O. F., and is a Knight Templar, being also Worshipful Master of Alameda Lodge, No. 167, Centreville, and a member of the San José Commandery. It will thus be inferred from the foregoing that Mr. Hare is possessed of remarkable energy and much administrative capability. His work speaks for itself; his honor has made him respected, while his dealings have earned for him more than an ordinary share of the world's goods. Married, at Rose Springs, El Dorado County, September 29, 1864, Miss Ella Rebecca, daughter of J. W. Hodgkin and Calista N. Goodsell (Hodgkin), a daughter of Captain Goodsell, of Vermilion, Ohio, now of San Leandro, Alameda County, and has three children, viz.: Charles A., born at Rose Springs, El Dorado County, January 18, 1867; Emma E. born in South San Francisco, October 21, 1869; Laura E., born in South San Francisco, March 15, 1873.

WALTER W. HASKELL.—Was born in West Gloucester, Massachusetts, January 26, 1846, where he remained until he attained the age of sixteen years, when he went to Salem, in the same State, there engaged as a clerk in a grocery store, and remained two years. Next moving to Lynn, he became a clerk to E. W. Osborne & Co., and subsequently went to St. Louis, Missouri, on a six months' visit. Mr. Haskell now located in Smoky Hill Valley, town of Salina, Saline County, Kansas, and became interested in a section of land with T. F. Oakes, the present Vice-President of the Northern Pacific Railroad Company. In October, 1868, he left Kansas for San Francisco, where he arrived November 27, 1868, and at once entered the employ of Kohler & Chase, but at the end of a year he proceeded to Carson City, Nevada, and became salesman with John G. Fox, in a general variety store. January 25, 1882, he married Miss Clara F. Osborne, of San Francisco, and, residing in Carson until June, 1872, he then came to Alameda County, engaged as clerk for C. R. Bowen, in a general mercantile business on the southeast corner of Park Street and Webb Avenue, Alameda, with whom he remained until the closing out of the business in 1874, and continued with his successor, A. S. Barber, for a twelvemonth thereafter. Mr. Haskell now entered the store of F. Boehmer, in the town of Alameda, for a year, when he accepted the offer of going into the insurance business as special agent for the Alameda County Branch of the Home Mutual Insurance Company of California, his field being the counties of Alameda and Contra Costa. Here he remained until 1876, when he became one of the firm of Brown, Craig & Co., as General Fire Insurance Agents, at No. 215 Sansome Street, San Francisco. In July, 1881, he accepted the position of city agent of the Travelers' Life and Accident Insurance Company, now doing business at the southeast corner of Pine and Montgomery Streets, a position he yet occupies, while he is a resident of Alameda County. His family consists of two children, viz.: Lola Lee and Edmund. In 1875 Mr. Haskell attended the golden

wedding of his parents, celebrated at the old homestead, when the family of ten children, save one, were present. In our subject we have a man of strict business tact and integrity, circumstances that have won for him the confidence and esteem of all with whom he has been brought in contact; indeed, he is as favorably known as any man of his age on the Pacific Coast.

FORDYCE H. HAWLEY.—Was born in Ferrisburg, Addison County, Vermont, February 27, 1838, where he chiefly resided until he reached the age of twelve years, at which time, his father coming to California, he made his home with General S. P. Strong, of Vergennes, Vermont, where he remained until he attained the age of sixteen years, when he went to Potsdam, New York, to engage in business with his uncle, Berlin Price, who was one of the owners of the Bank of Potsdam, New York. He remained there until his twentieth year, then going to Chicago, where he entered a dry goods house. Accompanied by his brother, Henry A. Hawley, on December 20, 1859, he sailed from New York for San Francisco by way of Panama, where he arrived January 14, 1860. Mr. Hawley at once proceeded to Butte County, and subsequently to Plumas County, where he was engaged in quartz-mining fifteen years. In 1880 he took up his residence in the town of Alameda, but concluding not to remain inactive, he commenced the erection of the Bank of Livermore February 13, 1882, which is a fine two-story brick building erected at the corner of Main and Lizzie Streets. The bank was opened to business March 26, 1883. Mr. Hawley was married in New York City to Dr. Homer Bostwick's daughter, on January 1, 1883.

WILLIAM HAYWARD.—This much respected early settler, whose portrait appropriately finds a place in this work, was born in Hopkinton, Middlesex County, Massachusetts, August 31, 1815, and resided on his father's farm at that place until he grew to man's estate. In 1836 he proceeded to Georgetown, Essex County, in the same State, and finding employment in a shoe factory there, remained about ten years. On April 23, 1849, Mr. Hayward sailed on board the steamer *Unicorn*—the third of that kind of craft intended for the San Francisco and Panama route—a British vessel, and steaming through the Straits of Magellan, arrived at Panama, where the Union Jack gave place to the Stars and Stripes, under which ensign the voyage to San Francisco was completed, where they arrived August 31, 1849. A few days later our subject proceeded to the mines at Mormon Island, but shortly after moved to Missouri Bar, whence he went to the North Fork of the American River, where, as he quaintly observes, he "mined as long as his money lasted," a remark that does not point to much success. While located in the vicinity of Auburn, Mr. Hayward and several others associated themselves together for the purpose of changing the course of the North Fork of the American River, but the enterprise proved woefully disastrous to the members, and caused the return of our subject to the city of San Francisco in the fall of 1850. He next proceeded in search of a location in the southern mines, but not finding one suited to his taste, he commenced a return journey, accidentally struck the Livermore Valley, followed it, and what are now called the San Ramon and Pacheco Valleys, to Martinez, and thence to San Francisco. Here he contemplated upon the country through which he had passed, and was amazed at the luxuriance of the wild oats that grew on valley, hill, and mountain. He saw that hay-making would be an industry of no mean pretensions in the future; therefore, purchasing a couple of scythes, he made his way to the proximity of where the village of Dublin now stands, and there worked for a while. Mr. Hayward now determined to make towards the bay, and coming through the Polamres Cañon, there decided to settle. Pitching his tent, he made his arrangements for a permanent location, but receiving intimation from William Castro that he had taken possession of his property, he was requested to move on. Castro, however, suggested to him to proceed further down the valley, where he would find land he could occupy with impunity, and this he did, finally settling on the site of the present beautiful town of Haywards, erecting his tent on the space now occupied by a portion of A Street,

between his hotel building and that owned by him directly opposite. In the spring of 1852 he commenced the building of the Haywards Hotel, one of the first hosteleries to be put up in the county. To this he has since added, until it now has one hundred rooms, and is the resort, during the summer months especially, of a continuous succession of guests. The whole section of country was then known by the name of San Lorenzo, called so after the Rancho, but on the establishment of a post-office at this town, it was called Haywards in honor of our subject, and as such is it still known. Mr. Hayward has always followed farming, in connection with the management of his hotel, while to him is the credit of having made many of the best roads in Eden Township, especially those leading into the town, better than which no other county in the State possesses. Not a few of these arteries of communication were constructed at his own private expense, while the town bearing his name owes much of its present and prospective prosperity to his energy and foresight. He has on two different terms served the county as one of its Board of Supervisors, where his practical views were ever of service, while his quiet demeanor and sterling worth have earned for him an enviable popularity among his fellows. Married, firstly, at Hopkinton, Massachusetts, in 1838, Miss Louisa Bartlett, a native of that State, who died in 1840, leaving one daughter; and, secondly, in Haywards, April 5, 1866, Mrs. Rachael Bedford, a native of Lafayette, Indiana, by whom he has two children, viz.: Mary E. (now Mrs. S. P. Pope of San Francisco), and William M.

COL. JOHN C. HAYS (deceased).—One by one the pioneers of California drop off, and soon nothing will be left but their memory and the few items gleaned from their lives and preserved in works such as the "History of Alameda County." It is not proposed to give in the following sketch any connected history of the life and exploits of the brave man who fell into that "sleep which knows no waking" on April 28, 1883. His busy life and countless deeds of daring require an abler pen and more extensive record in order to their proper representation. What we produce has been chiefly culled from the *Oakland Daily Evening Tribune* and the *San Francisco Morning Call*. The story of his honorable career in Texas, Mexico, and California would fill volumes, for he was ever in the midst of times "that tried men's souls," ever conspicuous as a leader where danger threatened, and when the success of an enterprise depended on personal bravery as well as calm judgment. Our readers must be content with a few isolated instances of these qualities that have come to notice, and have not, many of them, appeared in consecutive form before. John Coffee Hays was born on January 28, 1817, at Little Cedar Lick, Wilson County, Tennessee. His birthplace was quite close to "The Hermitage," so well known as the residence of General Jackson, and originally part of the Hays property. Fort Haysboro, in the same State, was built by John C. Hays' grandfather, who also distinguished himself in the Indian wars against the Creek nation, under General Jackson. Harmon Hays, his father, also fought with distinction under the same General, and rose to the rank of an officer. John C. Hays received a common school education, and at the age of fifteen left home for Mississippi, where he joined a party surveying the swamp lands in that locality. At that time Texas was the objective point of all adventurous, daring spirits, and it presented irresistible attractions to the martial spirit of young Hays, and in 1837, when he was nineteen years of age, he joined the United States Army on the Brazos River, shortly after the battle of San Jacinto. He took service as a private, and his daring qualities soon singled him out as fitted for the perilous position and duties of a spy. At that time the usages of civilized warfare were almost unknown, and were wholly unrecognized by the fierce Comanches and Cherokees, and the savage Mexican guerrillas, and this made the life of a spy especially dangerous and responsible. The first historical mention of John C. Hays (then captain) we find in Yokum's History of Texas, where, describing the operations of the scanty handful of Texan rangers against guerrillas from the other side of the Rio Grande, the author says: "One of these bands of Mexicans, under Ignacio Garcia,

was met on the 7th of April, 1841, about ten miles from Laredo, by Captain John C. Hays, in command of a company of twenty-five scouts. After a short contest the enemy retreated, leaving three killed and three wounded. Captain Hays pursued the fugitives so closely that he took twenty-five prisoners, without the loss of any of his command. He made an official report of this fight April 14, 1841. "These scouts," the author adds, "under Captain Hays, were very useful and efficient in protecting the western frontier from Mexican and Indian incursions." The next affair in which Captain Hays is mentioned as being concerned was near San Antonio, from which place, while in command of only fifty men, he drew out the Mexican forces under General Adrian Woll, two hundred cavalry and six hundred infantry. Hays fell back on Salado Creek, east of San Antonio, where Caldwell was well posted with a force of about two hundred and twenty men, and in the action that ensued the Texans gained a complete victory. The adroit manner in which Captain Hays drew the enemy into the fight is regarded as a good piece of generalship. Colonel Hays used to relate with some gusto the story of a raw young Tennessean who had joined General Sam Houston's army, when the Texan revolution was under full headway, and the Mexicans had invaded the country. It was in one of the first battles that took place, and was certainly the first big fight the young Tennessean had ever seen. Where the hostile forces came in conflict there was a large patch of half-grown grass, and the Texans, anxious to take advantage of all the cover at hand, dropped out of sight at the first fire of the enemy. To the green Tennessean the noise of musketry seemed like Pandemonium broke loose, and when he saw every one of his fellows drop as if killed, it was too much for him, and he let go everything and put out as fast as his legs could carry him. In his haste and fright he ran across Sam Houston, who hailed him and wanted to know why he had left the field and where he was going. "Home, jist as quick as I kin git. They're all down, all killed. Saw 'em drop." "Who do you mean?" "Our side; our fellows. Mexicans killed 'em all, fust go-off." "Young man," returned the old General, sternly, "make haste home. You've no business here. Go home and cross your blood with the Bowies." The Colonel possessed presence of mind in an eminent degree, as the following instance will prove. When quite a young man he was engaged as a surveyor in locating land-scrip issued to the soldiers in the war of 1812. It was wild land, somewhere in Tennessee or thereabouts; at any rate, Colonel Hays had need of quite a force of men to oppose the Indians, who roamed in numbers all over the country. George Work, who was the first sheriff of Sonoma County, in this State, and who was shot and killed by a man while in the act of arresting him, used to tell the story. In company with Colonel Hays, he had gone out early one morning to reconnoitre the redskins, when suddenly they found themselves ambushed by a large party. It was then a ride for life. An Indian who rode a fleetier horse than the others gained on the fugitives, and shot Work's animal under him. This was a critical moment; but the Colonel was equal to the emergency. He called out quick, and sharp, "George, take my horse, and lasso the first Indian who comes up." The Colonel dismounted and took a position where he was partly screened by projecting rocks. Work was in his place in the saddle, and in a twinkling had noosed the Indian. At the same moment the Colonel sent a ball through his heart and, as he fell out on the off side, with a bound like a panther, he was in the Indian's place, and both Work and himself rode rapidly out of danger. The relation of these exciting events seems slow when compared with the actual rapidity of movement. It was no doubt in scenes similar to these where Colonel Hays got his early reputation as an Indian scout and fighter. Young Hays was between seventeen and twenty years of age when he left Tennessee for Texas, and having spent a good deal of his time with the Delaware Indians, he was quite familiar with nomadic life and habits. He had not been long in the new territory before a hunting party was made up by the Delawares for the interior of New Mexico, along the course of the Pecos River. Young Hays made one of the party, as woodcraft was at this

time, his sole occupation, and he was quite as much at home in "the timber" or on the prairie as any Indian of them all. The party soon arrived at the hunting-grounds, and were meeting with success in trapping, when one day a Delaware came into camp with the news that a marauding party of Comanches, following the trail from New Mexico into Chihuahua, had surprised himself and trapping comrade, whom they killed. He escaped and came with the news. The plan adopted by the hunting party was to fix a point for rendezvous, while, in an area of leagues about it, the traps are set, which at stated periods are visited by the hunters, who generally go in couples. When this area is pretty well trapped over, the rendezvous is moved farther on and the same operation repeated. It was on one of these visits to the traps that the Comanches surprised the Delaware and his fellow, and took a scalp. On hearing the report the Delawares at once made ready for pursuit and revenge. Hays, who had cast in his lot with them, could not remain behind. The Comanches were well mounted. They are called the "horse Indians," as they are nearly always astride of their ponies, and avoid the brush in favor of the open country. They will not follow an enemy into the timber, but will hover around for days to catch him in the open. The Delawares were soon afoot and on the trail of their enemies, following them with that dogged purpose of revenge that is never satisfied, except by blood. The Colonel told very graphically the story of that long journey, with the never-tiring, swinging trot, of which, not having tribal instinct to sustain him, nor being actuated by a thirst for blood, he soon grew tired and became footsore. Nevertheless he held his pace, side by side, with his red-skinned companions. They neared the banks of the Rio Grande on the third day, in the cool and gray of the morning, and after a stealthy reconnoissance discovered their Comanche foes—numbering about one hundred and twenty—in a bend of the river. Their horses were picketed, and their owners reposing in fancied security, as they had set no outlook. The time and opportunity for attack were propitious. With a sudden war-whoop, the small band of Delawares sprang upon their foe. The crack of the rifle was followed rapidly by the crunch of the tomahawk, and before the surprised Comanches were fully aware of the sudden death that had fallen on them, eighty had bitten the dust. The rest took to the river and sought to reach the opposite side, but many of them were shot while in the water. Very few escaped. It was a scene ghastly with blood and death, and the uninitiated white boy, yet to be hardened in similar adventures, grew sick with the slaughter. Indian bravery and the white man's courage are the same qualities, but differing in manifestation. All the Comanches' horses and the plunder they had gathered in the New Mexican raid fell into the hands of the victorious Delawares, and when later in the season a division of the spoils, as well as the profits of the hunt, was made, each of the seventeen Indians besides young Hays, was comparatively rich. The share in goods and money was nearly \$500 a head. Hays was successively attached to the commands of Colonel Smith and Colonel Barnes in guarding the Mexican frontier, and fighting the Indians, and under both officers he distinguished himself for his courage and skill. Early in the campaign young Hays was with Colonel Smith and a few daring men on a scouting expedition near Toredó, a Mexican fort on the Rio Grande, two hundred miles southwest from San Antonio. Their party did not number more than twenty-five, and some eighty Mexicans made a sortie from the fort. The little band of Americans retreated with the Mexicans in full pursuit, and took up a position in the chaparral. The Mexicans surrounded them, and demanded their surrender, threatening vengeance on them when captured. Colonel Smith disregarded the insolence of the pursuing party and received their fire, which did no harm. The Mexicans dismounted and ventured within forty or fifty yards of Smith's men. The men had never before met the Mexicans or been under fire, so that there was a moment of suspense as to their action under these trying circumstances, but when Smith gave the word of command their destructive fusillade struck terror into the Mexican ranks. About twenty were shot dead on the spot and the remainder broke and fled, but the

majority of them were captured and all their horses fell into the hands of the Americans. Colonel Smith did not lose a man. Such was the training Colonel John C. Hays received. Colonel Karnes then formed a company to fight the Indians, and young Hays was one of the first to join. Their antagonists were chiefly the Comanche Indians, who fought against all parties. Shortly afterward Hays was employed in surveying government grants to soldiers on the western streams of Texas, and, in the unsettled condition of the country, it was necessary that each surveying party be accompanied by a guard of soldiers. These were often placed under the command of Hays, and in the first of his expeditions he and his party were taken prisoners by the Cherokees. His four or five men were surrounded by the Indians and they sought safety in flight. They would have escaped had it not been that their movements were impeded by a little boy who was unable to keep up, and compelled them to halt. The savages, under pretense of friendship, were allowed to come near, and then declared the little band prisoners. Hays told his men under no circumstances to give up their guns, and the succeeding day he learned through a negro of his party who understood the Cherokee language, that the savages were being pursued by a band of Comanches, and further that they feared the unerring aim of the prisoners, who stubbornly refused to give them guns. Moreover, they dreaded that the massacre of the prisoners would bring on them an avenging pursuit from San Antonio. This knowledge gave Hays confidence, and he boldly demanded the release of his party, and he solemnly assured the Indians that he would kill the first man who repeated the attempt to get possession of their guns. The horrors of the situation were such that one man of his party—a brave man, too—found his hair turned from black to gray in a single night. Nevertheless, on the second afternoon the Indians made a proposition that the surveyors be released on signing a paper testifying to the friendly character of these Indians. The captives agreed, and were released. The famous Texas Rangers were organized in 1840, and John C. Hays, then twenty-seven years of age, was commissioned to their command by the Texas Congress. In this responsible position, his bravery, skill, and sagacity became proverbial. Once, shortly after the organization of the Rangers, he had started out on an expedition with about twelve men, and in the Cañon de Ubalda, he came unexpectedly on twelve Indian scouts, who were three or four miles distant from their main body. He rode his party quickly down on the Indians, until within sixty or seventy yards of them, when they fled to a thicket, where they took shelter behind three oak-trees and a log. Captain Hays dismounted his men and surrounded the thicket. Then with two men he plunged in to fight the Indians. The first discharge of arrows killed one of his men and badly wounded the other. Hays was himself wounded in the finger, and he helped his wounded comrade out of the thicket to a place of safety. Then with a double-barreled shotgun and a pistol he returned to the thicket. Waiting his opportunity, and when three of the savages had come within fifteen feet of him, he discharged the two barrels of his gun, killing an Indian with each. Reserving his pistol for an emergency, Hays crept out of the thicket, and, taking a Yager rifle, went back to the desperate encounter. For three hours he thus carried on the fight. The arrows of the enemy fell thick and fast around him, but the density of the bush and his constant changes of position rendered them harmless. Whenever an Indian presented himself for an instant, the unerring bullet of Hays' rifle laid him dead, until all but one of the savages had fallen. This sole survivor was armed with a gun, and proved a formidable opponent. This Indian lay concealed behind a log, while Hays remained in the obscurity of the thick underbrush, and managed to cover his foe. In an unguarded moment the Indian raised his head from behind the log, and two muffled shots rang out as each fired at the same moment. The Indian's bullet grazed Captain Hays' shoulder, but the other bullet went home—the Indian was killed. The Indians' horses were taken, and the scouting party of Rangers returned safely to camp. From 1836 to 1842, after the defeat of Santa Ana, no concerted invasion occurred; but in the latter year General

Woll advanced on San Antonio with one thousand five hundred veteran troops, accompanied by artillery. Major Hays was in the town when the summons came to surrender, but his Rangers were far away, and he could only organize a hasty army of about sixty fighting men. With these he repulsed the first attack of the Mexicans, but it was plain to be seen that no successful resistance could be made against the overwhelming numbers of the enemy. Consequently, when the Mexicans sent in a flag of truce, demanding the surrender of Hays to them, and promising immunity to the citizens, the Major, accompanied by a companion, left San Antonio, passing through the enemy's lines in disguise. He then sent his companion for re-enforcements, himself remaining in the vicinity, reconnoitering the Mexican position and watching their preparations. In eight days two hundred men arrived, and were successfully placed in the town, unknown to the attacking forces. The next day, by a shrewd strategic device, the Mexicans were drawn into battle, with such disastrous effect that at night they beat a hasty retreat. Hays having been re-enforced by a force of three hundred men from the Colorado settlements, began an active pursuit, which, after several encounters, finally resulted in the battle on the Solado, and a complete extirpation of the Mexican soldiery from Texan soil. In the Mexican War Colonel Hays distinguished himself under General Taylor, especially at the battle of Monterey, where he commanded a corps of Texan troops who led the van and contributed materially to the success of the American forces on that occasion. He was afterwards transferred to the command of General Scott, and when General Santa Ana surrendered, the prisoner was consigned to the care of Hays, in recognition of the prominent service rendered by the troops under his immediate command in effecting the surrender. In 1849 Colonel Hays crossed the plains to California, and arriving in San Francisco, found that city in a chaotic condition—overrun by the boldest and most dangerous criminals the world has ever produced. The first election for county officers in San Francisco took place April 1, 1850. The principal office to be filled was that of Sheriff, for which there were three candidates. Colonel J. Towns was the regular Whig nominee; Colonel J. J. Bryant the nominee of the Democratic party, and Colonel J. C. Hays was selected by the people as an independent candidate. Bryant was a famous gambler, with plenty of money, and it soon became apparent that the contest was really between himself and Hays, the dashing Texan Ranger, as he was then called. Colonel Bryant, a man of fortune, determined to spare no expense or exertion to secure his election. He was proprietor of the most extensive and best conducted hotel in San Francisco, known at that time as the Bryant House, formerly the Ward House, which was a great resort for politicians, and where hundreds of the Colonel's pretended friends and real supporters enjoyed his generous hospitality. A band of music was daily stationed on the balcony of the hotel, after the nomination of its proprietor; free lunches were served up in the spacious saloon; and on the day of the election the building was literally covered with flags, while the finest liquors were served at the bar gratuitously to all who chose to call. On Saturday afternoon, March 29th, the friends of Colonel Hays held a mass-meeting on the plaza, and, after several spirited addresses, formed in procession, headed by music, and paraded the principal streets, cheering and being cheered by multitudes of spectators, as they passed along. The Bryant Democrats also made a splendid display on the plaza the same evening. The election on the 1st April was conducted, as may be imagined, with more than usual spirit. At noon it was evident that Colonel Hays was the people's favorite, and this incited the Bryant party to increased effort, and they succeeded temporarily in retrieving their candidate's fortunes. But in the midst of the excitement Colonel Hays, mounted upon a fiery black charger (he was a splendid horseman, Texas and Mexico having been his schools) suddenly appeared. The sight of the Texan hero, as he sat bareheaded and unattended upon his charger, took the people by surprise, and soon the heavens were rent by applause, deadening the sound of trumpets and drums, and reaching the islands of the bay and its further shores. A description

written at the time says men crowded around him on every side, some seizing the bridle, others clinging to his clothing and stirrups, and each anxious to obtain a grasp of his hand. The noise and tumult terrified the spirited beast he rode, which reared and plunged among the enthusiastic crowd, though the animal was so admirably managed that no injury was done. When, at length, the rider gave him the rein, he dashed into and along the adjoining streets, followed by loud huzzas and *cüras* at every spring. This settled the business. The Colonel had 'witched the crowd by noble horsemanship. Bryant's friends gave up the struggle, and the Texan Ranger was elected by an overwhelming majority. Talking about this affair in after years, Colonel Hays, in his usual modest way, always asserted that he had no design in visiting the plaza as he did. The only object he had in coming to the polls was to learn how the vote stood. He had mounted a horse for convenience, not for display; but the enthusiasm of his friends gave life to an idea which he had not conceived, and in this case, as in many other experiences of life, an important issue hinged on a trifling circumstance. Colonel Hays was re-elected at the next annual election, September 3, 1851, and held until 1853, when William R. Gorham was elected. As an instance of Sheriff Hays' faithfulness to his official duty, regardless of public opinion, and bravery in fulfilling it, his action in the case of Samuel Whittaker and Robert McKenzie may be mentioned. These were two criminals who were executed on the 24th of August, 1851, by the first Vigilance Committee. Owing to the interference of the authorities, the Committee had a more difficult task than they expected in bringing Whittaker and McKenzie to justice. Hon. John McDougal, Governor of the State, although he had previously approved the citizens' movement as a needed assistance in dealing with an exceptional condition of society, thought proper on this occasion to issue his proclamation warning "all good citizens" against the acts of the Committee; and on the morning of the 21st, before sunrise, Sheriff Hays and one of his deputies, armed with a writ of *habeas corpus*, issued upon the affidavit of Governor McDougal himself, boldly entered the Vigilance Committee's rooms, took the men named (who had already been tried by the legally constituted authorities and condemned for burglary, robbery, and arson), and returned them to the county jail whence the Committee had taken them. It was thought the Sheriff was aided by treachery on the part of the citizen guards; but he took his men in defiance, as it was his duty to do. The Committee afterwards recaptured and hanged them, as mentioned. The case of the *New Orleans* may be remembered by some. This steamship had been attached for sixty-five thousand dollars, and lay moored at the old Long Wharf. Captain Ned Wakeman, who had been the hero of more than one escapade in running steamers off under a Sheriff's nose—the most notable one being in New York Harbor—itched to get away with the *New Orleans*, and, once on blue water, to snap his fingers at all Sheriffs and their legal processes. Sheriff Hays was wary. Sixty-five thousand dollars were at stake, and it stood him in hand to keep his eyes open. One evening a messenger came running into his office, out of breath, and said:—

"Something wrong going on down at the wharf, Colonel."

"What about?"

"The *Orleans*. Steam's up. It looks to me as if she was going to take a trip."

It did not take many moments for the Sheriff to reach the scene, where he found a sailor meddling with the moorings.

"Let that line alone," commanded the Colonel.

"Who are you?" asked the sailor.

"I'm the Sheriff of the county. Get away from there as quick as you can."

The sailor reported the state of affairs to Captain Wakeman, who thought he could do what the seaman failed to accomplish. He came forward for the purpose.

"Wakeman," said the Sheriff, slowly, "you must let that line remain where it is."

"Suppose I choose to cast it off, what then?"

"I will kill you," returned the Sheriff, in a low tone and the same even voice, but there was no mistaking the look in his eyes.

The two men—Greek joined Greek—about equally matched in resolution and daring, looked steadily in each other's face for about a minute, Wakeman with his hand on the hawser, and the Sheriff with his on the butt of his pistol. "I believe you would, by ——!" said the captain at last. The steamer remained at the wharf. During Colonel Hays' incumbency of the shrievalty, December, 1851, Indian trouble began in the southern part of the State, and the confederated Indian tribes menaced the white settlers so seriously at the time that they applied for aid to General Hitchcock, commanding the United States forces in California. He accordingly sent as many of his troops as could be spared, and authorized the raising of two companies of mounted volunteers. Great excitement prevailed in consequence of this permission and the previous alarming news. Numbers hastened to enroll themselves in the proposed companies; but, to the disappointment of many applicants, a selection of those offering could only be received. The two companies were placed under the respective commands of Colonel John W. Geary and Captain Daniel Aldrich, while Colonel John C. Hays was appointed to the command in chief. Later intelligence from the south was to the effect that in the face of this armed preparation, the Indian difficulties had been arranged, and the volunteers were not called on. There was lively work for Colonel Hays and the volunteers in the spring of 1860, when the Pah Utes, numbering about three thousand warriors, made a formidable disturbance in the now State of Nevada; but it proved to be a good deal of a tempest in a teapot after all. The Indians were maddened by the horribly brutal action of a man named L——, who kept a stock ranch on Van Dusen River. This man had an Indian boy in his employ, who occasionally would go off to visit his relatives, and his absence so incensed the ranchero that he visited the family one morning and murdered every member of it, putting the victims on a rude raft of logs, which he directed to "W. H. Mills," and started it down the river. Mills was opposed to the ill-usage of the Indians, much less their indiscriminate slaughter. Winnemucca called his warriors to the field, to revenge the rancher's atrocity. He had, according to his own account, about three thousand men, while the volunteers under Hays numbered six hundred. There was a good deal of scare among the settlers of the Carson River country about Winnemucca's movements, and an appeal to the public made May 31, 1860, says: "The volunteers now in the field are our main reliance for conquering a peace." The population of Virginia City at the time was about one thousand. An account of the transactions of that period gives a slightly ridiculous phase to the campaign, and says when the volunteers left Virginia City for Pyramid Lake May 26th, there were more officers than privates. On the 30th of May Colonel Hays, with five hundred men, had a brush with the Indians near William's old station, in which seven Pah Utes were killed and three volunteers wounded. The Cromwellian method was strong in Colonel Hays. It is recorded of Oliver that when he was training his Ironsides he used them daily to look after, feed, and dress their horses, he taught them to clean and keep their arms bright, and have themselves ready for service; to choose the best armor and arm themselves to the best advantage. Upon fitting occasions, and in order to inure their bodies to the service of the field, he also made them sleep together on the bare ground, and one day before they actually met the enemy, tried their courage by a stratagem. Leading them into a pretended ambushade, he caused his seeming discovery of danger to be attended by all the circumstance of actual war. Terrified at which about twenty of the troops fled; and these Cromwell immediately dismissed, desiring them, however, to leave their horses for others who were not so easily scared. The parallel, relatively, in Colonel Hays' case is that when the volunteers for the "Washo War," as it was called, offered to place themselves under his command, he accepted the leadership, but on condition that they give him complete control, and obey orders as implicitly as though he were empowered to shoot down the disobedient. They agreed to those terms, and for several days before they took up the line of march, he subjected them to incessant drilling and other military exer-

cises. He would not move until the men had a fair practical knowledge of military discipline, and could receive orders without being confused. Cromwell's false ambuscade is also paralleled by an amusing test to which the Colonel put some of his officers. While sitting around the camp-fire one evening, he slyly and unperceived hid among the glowing coals a can of fruit, which, on becoming heated, burst with a stunning report. At the same time the Colonel shouted, "Injins!" and gave the regular Delaware war-whoop. The effect was electrical. Everybody sprang to their feet, and some stood their ground bravely; but two or three of the group rushed wildly into the sage-brush. One of those who beat a hasty retreat was afterwards a member of the San Francisco Board of Brokers and is now enjoying his *otium cum dig.* in New York, passing rich, and perhaps, occasionally, fighting his battles o'er again when his achievements cannot be discounted by facts. The history of the Washo War, with which Colonel Hays was so intimately connected, has never been written in full. A public meeting to consider the situation, to aid the volunteers in the field, and relieve settlers harassed by the Indians, was held at the Merchants' Exchange June 1, 1860, and Messrs. R. Meacham, Harvey S. Brown, S. P. Dewey, A. Fonda, R. G. Eells, H. F. Teschemaker, Colonel A. B. Perkins, Charles Hosmer, Captain J. B. Olney, and George O. Whitney—well-known names of the time, many of whom have now passed off the stage of action—were appointed a committee to collect subscriptions to purchase provisions for Colonel Hays' command, who were fighting and starving at the same time. Josh. P. Havens had written Governor Downey that the troops had no credit and no money, and desired permission to pledge the credit of the State for provisions and transportation. The Governor refused, as he had no authority in the premises. So the "army" had to get along the best way it could. It numbered about four hundred and fifty men, when it rendezvoused at Camp Hays, May 24, 1860, on the Carson River, about twenty miles below Carson City, the officers in command were Colonel John C. Hays; Second Lieutenant-Colonel E. Sanders; Major Charles S. Fairfax, Acting Adjutant-General; Major B. S. Lippincott, Quartermaster; Captain McNeesh, Assistant Quartermaster; Major R. N. Snowden, Commissary-General, and Dr. Perkins, Surgeon. Besides the four hundred and fifty volunteers there were about one hundred and sixty-four United States troops, artillery, and infantry, under command of Captain Stewart, Third United States Artillery. Dr. Keeney was surgeon to this command. Captain Treadwell Moore, A. Q. M., and the well-known Ned Byrne, Quartermaster's clerk. General Josh. Havens, Captain Lippitt, Frank Soulé, and other prominent San Franciscans, were with it as volunteers. Colonel Hays and Captain Stewart acted in concert, though their commands were distinct. They marched up the eastern side of the Carson River to a fort, then across the river to the valley of Pyramid Lake, where something like an action took place, and the names of Richard Snowden, Major Ormsby, Henry Meredith, and a few others who fell in this war, are to this day remembered with regret by their friends. Alameda County and the city of Oakland owe much to the enterprise and energy of Colonel Hays, who, at an early day, began to take a deep interest in the welfare and prosperity of the community. When Colonel Hays in 1852, began to direct his attention to this side of the bay, the site of Oakland and its suburbs was controlled as a vast ranch, by Vicente Peralta, under a Spanish grant. Squatters were, however, beginning to crowd in, and Peralta, perceiving that under the loose laws governing the rights of land-holders, he could not long withstand these encroachments, accepted a proposition from Hays, Caperton, and others, by which all the dry land north of the estuary and south of Lake Merritt passed into their hands through a *bona fide* sale, the title of which has been fully recognized and confirmed by the United States Government, and upon which all right, title, and interest of present holders are based. The southern portion of the city was speedily improved by Colonel Hays, and, being divided into building lots, was sold at a handsome profit. After retiring from the office of Sheriff, Colonel Hays took up his residence on this

side of the bay, where he resided continuously ever since, engaging in various profitable enterprises and materially assisting the community in its onward progress. Shortly after he came to Oakland he was appointed Surveyor-General for California by President Pierce, and discharged the duties of the office with his usual ability, and to the complete satisfaction of the citizens generally. He always figured prominently in Democratic politics, having been a delegate to nearly every State Convention and a delegate in 1876 to the National Democratic Convention at St. Louis, when Samuel J. Tilden was nominated for the Presidency. The wife of Colonel Hays is descended from the Calverts of Maryland, her maiden name being Susan Calvert. They were married at Sequin, Texas, and have two children, John C. Hays, Jr., and a daughter, Elizabeth, fifteen years of age. Colonel Hays was a brother of General Harry Hays, a prominent Confederate officer, and afterwards a lawyer in New Orleans, where he died. His sister was the wife of Major R. P. Hammond of San Francisco. She died in 1882. Colonel Hammond, whose death occurred several months ago, was a nephew of Colonel Hays, as is John Hays, at present a resident of San Francisco, the latter being a son of General Harry Hays. He also left relatives in the Southern States. His residence near Piedmont, where he died, is one of the most beautiful in the State. It is located at the base of the verdure-clad hills of the Coast Range, in a quiet nook, secluded from the bustle and turmoil of that busy world in which this hero so long maintained a gallant and successful career. Lordly oaks surround a handsome building, and exquisite art has been made an assistant in adorning the natural beauties of the scene. It was meet that one who has braved the storm of battle, struggled actively, and with giant force, against tremendous odds, and transmitted to posterity a name famous in the annals of his country and honored by his fellow-men, should sink to rest amidst such a scene as that which surrounded the spot where he died. It was a sweetly appropriate finale to the stirring, thrilling drama of his life that the melodious songs of birds should be his requiem instead of the hoarse shout of armed foemen, that the warm sunshine should flicker through the curtains of the death-chamber to greet his fading vision which had so often witnessed the lurid blaze of battle. It was fitting that the veteran should sink to sleep as a child on its mother's breast, that the hero should pass peacefully, calmly to his eternal rest, surrounded by his family and devoted friends, regretting his death, yet proud of his career, his manhood, and his honored position among men.

Thou little know'st
 What he can brave, who, born and nurst
 In Danger's paths, has dared her worst !
 Upon whose ear the signal-word
 Of strife and death is hourly breaking,
 Who sleeps with head upon the sword
 His fevered hand must grasp in waking.—*Moore.*

TIMOTHY HAYES.—Is a native of County Cork, Ireland, and emigrated to the United States when nineteen years of age. First settling in New York, he there resided ten years, when he removed to Wayne, Pennsylvania, and engaged in farming until starting for California. In January, 1869, he made the journey by railroad to this State, but shortly after returned to the Eastern States for his family, who came back with him in the following year, when he purchased his present farm of four hundred and forty acres, situated a mile and a half from Livermore, where he is engaged in general farming and stock-raising. Is married and has a family of thirteen children, viz.: Margaret, John, Thomas, Frank, Helen, Mamie, James, Agnes, Theresa, Gertrude, Timothy, Joseph, William, and Alice (deceased).

WILLIAM HAYES.—Was born in Stafford County, New Hampshire, August 21, 1815, and is the eldest son of Isaac and Nancy (Palmer) Hayes. Having resided in his native State until he reached his twenty-second year, during which time he attended school, and learned the carpenter's trade, afterwards working at it in Manchester, New Hampshire, Newburyport, and Boston, Massachusetts. For a few years

he went southwards, and in the winter of 1841 located in Key West, Florida. In the following summer, however, he returned to Boston, and there carried on a sash and blind trade until leaving for the Pacific Coast. From that port he sailed, February 12, 1850, to Aspinwall on board of the *Cherokee*, and on the Pacific side on the old steamer *Tennessee*, finally arriving in San Francisco, April 15th of the same year. He at once commenced working at his trade, and followed it until the spring of 1851, when he came to the Contra Costa (now Alameda County), and worked for John M. Horner, first in his mill, and afterwards on the steamer *Union*, plying between Alvarado and San Francisco. In the summer of 1852 he took up his present ranch, and that fall erected a small dwelling-house, and commenced farming in earnest, an occupation he has since continued, his farm consisting of one hundred and sixty acres. Married, July 27, 1845, Adeline, daughter of Aaron and Elizabeth (Horner) Watson, and has no issue.

COMFORT HEALEY.—Was born in Yarmouth, Nova Scotia, June 28, 1838, and at thirteen years old shipped for four years, going to many of the chief foreign ports. At the expiration of that time we find him in Boston, Massachusetts; and subsequently proceeding to New York, thence sailed, April 22, 1856, in company with his sister and brother-in-law, on board the *George Law*, to Aspinwall. The journey across the Isthmus is one that can never be effaced from his memory; it was that on which the crowded train left the rails, and one hundred and ten souls were hurled, at one fell swoop, into eternity, our subject and his relatives being among the wounded. This catastrophe necessitated a return to Aspinwall, where he was detained three months with his broken legs and ribs. On having sufficiently recovered, he was taken in a wheelbarrow, and once more shipped on the cars for Panama, whence he sailed on the steamer *John L. Stephens*, arriving in San Francisco during the latter end of August, 1856. Coming direct to his father's residence, near which has since sprung up the town of Newark, Alameda County, he there resided until the breaking out of the Frazer River excitement, in 1858, when he proceeded thither, and remained a year. In 1859 he went to Monterey County, and for four years was engaged in boating there; after which he returned to Alameda County, and embarked in farming and threshing. In 1877 he purchased his present homestead, adjoining his father's dwelling. Mr. Healey has been a Road Overseer for six years, and is at present a trustee of the Newark School District. Has been twice married. His present wife, whom he espoused August 4, 1870, is Mary G., daughter of Capt. Isaac Thomas Mott, American Consul at Mazatlan, at the opening of the Mexican War, and afterwards agent for the Pacific Mail Steamship Company at Benicia, where Mrs. Healey was born. By this union there are four children, viz.: Ethel G., Lauren E., Stella T., and Nora L.

WILLIAM H. HIGH.—Was born in Wake County, North Carolina, March 14, 1820, and is the son of Alexander M. and Elizabeth (Ray) High. He resided with his parents until he attained the age of nineteen years, when he went to Alabama, and engaged in farming in Perry County. Continuing there until the year 1844, he returned to his native State. On the breaking out of the Mexican War he joined the North Carolina regiment, but soon after entered the pay department, under Major Gastin H. Wilder, as clerk, and continued in that capacity until the close of hostilities, when he returned to his home in Raleigh, where he arrived July 4, 1848, but remained in the service until he obtained his discharge. Mr. High subsequently engaged in mercantile operations until 1850, in which year he was elected to the distinguished position of Sheriff of Wake County, an office he held up till 1865, a period of nearly sixteen years; after which he betook himself to agriculture, and so continued until 1872. He now started for California, arrived in the harbor of San Francisco, March 27, 1872, and crossing the bay to Alameda County, took up his residence in the city of Oakland, where he has since resided. Since Mr. High has been in the State he has confined himself chiefly to mining operations. Married, March 14, 1849, Miss Amanda M. Royster of Raleigh, North Car-

olina, and has seven surviving children, viz.: Wm. H., Jr., Elizabeth (now Mrs. W. J. Pettigrew, Jr.), Rebecca (now Mrs. C. E. Carleton), Hattie (now Mrs. V. C. Ruyster), Alexander Z., Gavin D., and Geddy H.

OTIS HILL.—The subject of this sketch is a native of Niagara County, New York, and born September 21, 1821; resided in his birthplace, until his coming to California, where he learned the cooper trade, which he followed until the fall of 1855, when he started, *via* the Nicaragua route, for California, coming into San Francisco, January 4, 1856. Mr. Hill came direct to Alameda County, locating at Haywards, and first found employment on the place now owned by Henry Marlin for one year. He then purchased a farm in Castro Valley, where he resided until 1859, when he located on his present valuable farm of fifty acres, one and one-half miles north of Haywards, where he has one of the finest fruit farms in Alameda County. Mr. Hill is an intelligent, honorable, and upright gentleman, and highly respected by all who know him; was united in marriage in the State of New York, August, 1848, to Miss Rebecca Richie, a native of the above State, by which union they have one son, Oscar Levy.

DANIEL BILLINGS HINCKLEY.—This gentleman and old pioneer is the son of Seth and Antise R. (Gorham) Hinckley, and was born in Hardwick, Worcester County, Massachusetts, February 15, 1829. Losing his father at the age of twelve years, he went to live with his grandparents for four years, when he proceeded to Bangor, Maine, and learned the trade of iron molder, at which he served until starting for the Pacific Coast. On November 28, 1849, sailing from Cherryfield, Maine, in the bark *Belgrade*, he rounded Cape Horn, and cast anchor in the bay of San Francisco, May 28, 1850. This was one of the vessels of which there were so large a number, in the days of "forty-nine," that were purchased in the Atlantic cities and brought out by "companies," to be sold on arrival. Upon the landing of our subject in the metropolitan city of the Pacific Coast, he at once, with his brother, secured employment in the Pacific Iron Works, then situated in that part of San Francisco known as the Happy Valley. There he remained until 1852, when he became a partner in the concern, and has since continued in the iron trade. But, in 1854, the Pacific Iron Works were sold to E. B. Goddard, when Mr. Hinckley paid a visit of eighteen months duration to the Eastern States, when he returned to the Bay City. In 1857 he commenced a foundry and machine shop on Davis Street, San Francisco, under the style and firm of Hinckley, Highwenter & Field (the Fulton Foundry), and continued interested in its concerns until the year 1859, when he transferred his labors to the firm of Hinckley, Worth & Field, who established themselves on the site on First Street, San Francisco, now occupied by the flour-mill of H. Davis. Here he continued until 1862, when he purchased his partners' interests and carried on the business by himself until 1865, at which time Charles Marshutz was admitted a partner, with whom he continued in business until 1877, since when the firm has been Hinckley, Spiers & Hayes. This establishment is located on Fremont Street, between Howard and Folsom Streets, and as a criterion of its magnitude we may mention that business is annually done there to the amount of over \$1,000,000, while its pay-roll foots up to the large amount of \$20,000 per month. In 1868 Mr. Hinckley took up his residence in Fruit Vale, Alameda County. Married, December 4, 1859, Louise, daughter of W. L. Wheeler of Kennebec County, Maine, by whom he has three sons, viz., Harry G., Edward R., and Frederick W.

SAMUEL HIRSHBERG (deceased).—Arrived in the city of Oakland in 1852, when the then town of Oakland contained less than three hundred inhabitants. He commenced his business career in this county by engaging in the dry goods and clothing business. He was actively engaged in this branch of trade for nearly thirty years in our midst, and by fair and honest dealing established for himself an untarnished reputation and a spotless name. In 1862, in conjunction with Hon. Samuel Bell McKee, now on the Supreme Bench of California, he built the two-story brick block on Broadway, between

Third and Fourth Streets, thus early in the history of Oakland giving evidence of his enterprise and desire to contribute to the material advancement of Oakland's interests. In 1854, when Empire Fire Company, No. 1, was organized by Col. John Scott, Mr. Hirshberg was among the first to come forward to sign the roll and contribute liberally towards the support and maintenance of the first and primitive fire organization established. In 1866 he gave further evidence of his business enterprise by investing several thousand dollars in the Pacific Soap Works, of which he was the principal shareholder and manager. In 1881, by reason of failing health, he retired from business, and on the 6th day of January, 1883, at the advanced age of sixty-five years he departed this life. Mr. Hirshberg was a man universally respected in the community in which he lived and his funeral was one of the largest that ever took place in Oakland. The immediate cause of death was inflammation of the bladder. Mr. Hirshberg was twice a candidate for public office on the Democratic ticket, and though running largely in advance of his ticket, Oakland being strongly Republican, he was defeated. In 1862 he organized the Hebrew Benevolent Society and was made its first President. He was born in Exin, Prussia, and in his youth was appointed Secretary to the Burgomeister of his native town. He was thoroughly educated in English, German, and Hebrew literature. At a later period he taught German, and Hebrew at the University of Edinburgh, Scotland. He was at the time of his death Grand President of the order of B'nai B'rith of the Pacific Coast. He was one of the pioneer members of Live Oak Lodge, No. 61, Free and Accepted Masons, and was also a member of Oakland Chapter No. 26, Royal Arch Masons. He left a wife, Mrs. R. Hirshberg, a son D. S. Hirshberg, at present Under Sheriff of Alameda County, and a daughter, Mrs. George Mosbacher. The many virtues and manly traits in the character of Samuel Hirshberg will live long in the memories of the pioneers and residents of Alameda County.

WILLIAM HOLTZ.—Was born in Germany, September, 21, 1829, and there resided until he came to the United States in 1852, when proceeding direct to California he arrived in San Francisco in December of that year. There he was variously employed until 1858, when he opened a grocery store in San Francisco, and remained in that business until 1869, when, selling out, he took up his residence at West End, Alameda, where he built a grocery store and established that trade there, conducting it until 1882, when he sold out to his son. Mr. Holtz is at present engaged in the Real Estate and Insurance business there. He has served for three years as a Justice of the Peace, and three years as a School Director. Married, September 19, 1858, at San Francisco, Miss Auguste Benn, a native of Germany, and has two children, viz.: Fred and Johanna, aged twenty-three and twenty-one, respectively.

JOHN B. HORTENSTINE.—Was born in Washington County, Virginia, May 19, 1852, but when two years of age was moved by his parents to Clay County, Illinois, where he resided until 1870, in which year he proceeded to the Territories, and in April, 1874, arrived in California, locating near Pleasanton. In 1875 he entered the employ of M. B. Lander & Co., and two years thereafter, purchased an interest in the firm, which is now known as Hortenstine, Storer & Co., of Pleasanton, engaged in general merchandising. Married, April 15, 1880, Miss Luella Hay, a native of California, and has one daughter, named Ethel. Both his father's and mother's family are identified with the early history of this country, they having settled in Virginia and Tennessee before the Revolution, in which they took part.

SOCRATES HUFF.—This worthy and well-known pioneer settled in Alameda County in the long ago time when it formed a portion of Contra Costa County. We have much pleasure in presenting to our readers a portrait of this estimable gentleman. Socrates Huff is the son of William and Pleasa (Garver) Huff, and was born in Crawford County, Ohio, July 1, 1827, and two years thereafter was taken by his parents to St. Joseph, Berrien County, Michigan, where he lost his mother in the year 1830. Here under the genial influences of the breezes from Lake Michigan, our sub-

ject grew to man's estate, being there grounded in scholastic lore, and acquiring the rudiments necessary for fitting him to face the battle of life. About New Year's Day, 1849, letters were received in the town from California corroborating the exciting intelligence of the discovery of gold in the previous year, therefore, Mr. Huff at once set to work to form a party of his companions and townsmen to proceed to the golden shores of the Pacific in search of the precious metal and to become rich in one gigantic bound. To compass the long and dreary journey across the plains, mules were purchased in Indiana, wagons in Chicago, and provisions in St. Louis, and in February, 1849, the party—composed of Socrates and L. B. Huff, L. C. Wittenmyer (now of Contra Costa County), A. M. Church, James M. Morton (deceased), and A. P. Pinney (deceased)—started up the Missouri River on their way to the "land of promise." At the outset of their travels they commenced to encounter the dangers of the trip. When sixteen miles below Council Bluffs, the steamer "*Dacota*," whereon our subject voyaged, sank, and all was lost save mules and wagons. Refitting, however, at this point the route was continuous, by way of the old emigrant route to Salt Lake, and finally entered California by the Truckee route, arriving at Bear River August 12, 1849. Mr. Huff now tried his hand at mining, but at the end of two weeks abandoned the pick and rocker, and moved to Sacramento, where he engaged in business, but only for a short time, when, his health being poor, he sought a more genial climate. Mr. Huff now proceeded to Mission San José, where he remained in the employ of H. C. Smith until March, 1851, when he paid a visit to the Eastern States. Returning to the Pacific shores in the following August, our subject purchased a vessel and put her on the line between Alvarado and Stockton, a trade he conducted until November, 1852. At this period, Mr. Huff once more returned to the Eastern States, and was married on February 14, 1853, to Miss Amelia Cassidy, a native of Pennsylvania, after which he proceeded to Iowa, and on May 1st of the same year, started for California, with a large band of cattle and horses, which he drove direct to Green Valley, to the farm now occupied by Hon. D. N. Sherburne. Here Mr. Huff resided until 1857, in which year he transferred his residence to Haywards. Eighteen months thereafter he proceeded homewards with his family, but returning in December 1859 he settled in San Leandro, where he has since resided. Mr. Huff has ever been alive to the requirements of citizenship, and when he has felt duty call, he has been foremost to obey. In 1863 he was elected to the high office of Treasurer of Alameda County, a position he held four years, while at the same time he was engaged in mercantile business in Carson City, Nevada, and continued in this business until 1870. Besides being now engaged in real estate transactions he is and has been since the founding of the Union Savings Bank of Oakland one of its directors. He has always taken an active part in politics, and in 1880 was delegate at large to the National Convention, at Chicago, that nominated James A. Garfield. Mr. Huff is a gentleman respected by all classes of the community in which he resides, as his unswerving rectitude of purpose and undeviating honesty make him a man to be trusted and honored. His family consisted of seven daughters, viz.: Ida, Jennie, Katie (deceased), Nellie, Carrie, Mamie, and Laura.

WILLIAM HENRY HARRISON HUSSEY.—The subject of this sketch, whose portrait appears in this volume, was born in Olive, Noble County, Ohio, August 28, 1840. His father, Asa Hussey, married Mary Cunningham, both of Augusta, Maine, and to them were born seven children, namely: Samuel, Simon, Susan, Sally, Charles, William (our subject), and David. Sustaining the irreparable loss of his mother when but thirty-two years of age, the future life of the family, so carefully fostered by his father, was changed. The children were kept together on a farm, and in the log-cabin which served the purpose of a school, they there received their early scholastic training, and as they grew older started out to do battle with the world. The two sisters married and settled in the county of their birth. In 1854 the father and two youngest boys removed to the State of Iowa, improved a prairie farm in Delaware

County, and there dwelt together until 1858. Having obtained permission from his father, in the month of April of that year, our subject started for California. On his way to New York he passed a month in Chatauqua County, and finally sailed from that city in the steamship *Star of the West* by way of Panama for San Francisco, where he arrived June 3, 1858. The beauties of the Bay City, which he had heard so extensively lauded, and one night passed in the "What Cheer House," at once created a desire for the rural districts to arise in his breast; he, therefore, without further delay, took passage to Vallejo, Solano County, and there sought and obtained employment on a ranch not far from that city, the property of Welcome Fowler, a gentleman generous and kind. Late in that year Mr. Hussey visited the redwood forests of San Mateo County, whence he proceeded to Sacramento, returning subsequently to Solano County, and going to Mr. Fowler, who had meanwhile taken up his residence in Green Valley. Here Mr. Hussey improved the opportunity by attending school during the winter under Professor George W. Simonton. The spring and summer of 1859 he passed on a farm in Solano County. At this time the fever for mining suddenly dictated a change of life. Mr. Hussey therefore betook himself to Rich Bar, Feather River, Plumas County, but a short lesson of ill-luck brought him back to the valleys in company with Samuel Kitto, Captain Hansen, and Gus Campbell (a brother of the Hon. F. M. Campbell), and a Newfoundland dog, the pet of Rich Bar. This was a severe journey. In crossing the mountains our subject and his companions encountered a snow-storm that quickly obliterated all traces of the trail; they therefore left the highlands and followed the course of the North Fork of the Feather River, only leaving it at Shore's Bar to ascend the mountain in the hope of finding a trading-post of some kind, but the storm which still raged in the hills with unabated fury, defeated their purpose and forced a return to the river's bank. Thus five days and nights were passed in the Sierra Nevada, poorly clad, with nothing to eat save poor "Poison"—which was the dog's name—who was sacrificed to satisfy the cravings of his masters. On the morning of the sixth day they struck the Yankee Hill Flume whence they traveled to Cherokee Flat, thence by stage to Oroville, afterwards to Sacramento, and finally to Vallejo, where Mr. Hussey found himself comparatively at home. Here he was variously employed, and took part in the troubles that occurred on the Suscol Rancho in 1860. But soon a wider field for his operations was to show itself, and one which was not only to test his loyalty to his country but also his courage and endurance. The War of the Rebellion, which had been inaugurated by the firing on Fort Sumter, April 12, 1861, created a desire in Mr. Hussey's breast for military distinction. He had learned something of a soldier's duties as a member of the Vallejo Rifles, an independent organization then commanded by Capt. J. B. Frisbie, and resolved to "go for a soldier;" the opportunity to proceed to the seat of war, however, did not offer itself until the fall of the year 1862, at which time the "California Hundred" was recruited by Capt. J. Sewell Reed. In the month of November our subject was enrolled in San Francisco, and on the 11th of December the company sailed for New York, by way of the Isthmus of Panama, where they landed January 4, 1863. They immediately took the route for Readville, Massachusetts, where they went into camp, and were mustered into the service of the State as Company A, Second Massachusetts Cavalry. On the 12th of February the First Battalion, Major Caspar Croninshield commanding, departed for Gloucester Point, opposite Yorktown, Virginia, where our subject and his company went into camp, being assigned to the command of Major-General Keyes. Here they were detailed on picket and patrol duty for a short time, with an occasional skirmish with General Wise's men, who were encamped a few miles out on the Richmond road. Mr. Hussey was here instrumental in making the first capture of the notorious guerrilla captain, Allen, and his two orderlies at the Backhouse plantation near Lower Guinea. He served in the Department of the Peninsula until May 23d, when the battalion, in company with the Eleventh Pennsylvania Cavalry, Colonel Spear commanding, took

transport at Yorktown for White House Landing, whence they marched to Hanover Court House, captured a rebel supply-train, burned the bridge over the South Anna River on the Fredericksburg and Richmond Railroad, after two hours hard fighting, killing and taking prisoners some seventy-five of the Fifteenth South Carolina Infantry. Here Gen. William E. Lee—a nephew of Gen. Robert E. Lee—a cavalry officer who had been wounded at Fredericksburg, was captured. Our subject now returned to White House Landing, where General Dix had concentrated his forces, and afterwards marched with General Getty's division to Hanover Junction, and on the evening of July 4th engaged the enemy, withdrawing after a sharp artillery duel, and joining General Dix at White House Landing. Mr. Hussey's company now took transport for Washington, joined his regiment at Centreville, Virginia, under Colonel Lowell, and during the remainder of the year served in the Department of Washington. On January 1, 1864, he went into camp at Vienna, Fairfax County, Virginia, with the Thirteenth and Sixteenth Regiments of New York Cavalry, but here the service performed was unsatisfactory owing to the fact that the country was infested with General Mosby's command, who carried on a guerrilla warfare. They were all well-mounted, and being among friends could not be brought into open battle, but would strike at dead of night upon picket posts, or lie in ambush for favorable opportunities to fall upon small and isolated detachments. On January 24th William E. Ormsby, of Company E, deserted his post while on picket duty and joined Mosby's Guerrillas, but on the 6th of February was captured by his former comrades while leading an attack near Aldie. On being taken into camp he was tried by a drum-head court-martial, sentenced to be shot, and suffered death on Sunday, the 7th, in the presence of the brigade. On the 22d February, while Captain Reed was returning from a scout with about a hundred men, he fell into an ambuscade of Mosby's men, near Danesville, and with twelve men were slaughtered, Captain and Lieutenant Manning and fifty-five men being taken prisoners. Early in June Mr. Hussey marched with his regiment into the wilderness with an ambulance train, and brought off a number of wounded that had been left there after the battles of the 5th and 6th of May. On the 10th of July they were ordered to Washington, and took a prominent part in the defense during the rebel invasion of Maryland. In the many engagements that followed, the command suffered severely in killed, wounded, and prisoners, while for some twenty-five days during the month of August they were under fire. On the 25th Capt. Charles E. Eigenbrodt was killed while leading his company in a charge near Charleston. This gentleman was a brave and gallant soldier, highly esteemed by both officers and men. He was an old resident of Alameda County, and many of its citizens remember him for his kindness of heart and his patriotic devotion to his country. On September 9th General Sheridan organized the Middle Military Division, better known as the Army of the Shenandoah Valley. The Second Massachusetts Cavalry was assigned to the Reserve Brigade of the First Cavalry Division—familiarily known as General Buford's old command—composed of the First, Second, Fifth, and Sixth Regiments of Regulars. Colonel Lowell, of the Second Massachusetts Cavalry (Mr. Hussey's regiment) being given command of the brigade and General Merritt being placed in chief command of the division. The Second and Third Divisions of Cavalry were commanded by Generals Custer and Wilson, and formed the Cavalry Corps under General Tarbet. On the 19th of September a general advance of the army was made, encountering General Early's forces at Opequan Creek, where a hard day's fighting was begun, and ended just at dark with a glorious victory at Winchester. By why particularize; suffice it to say that Mr. Hussey took part in all the general engagements of that splendid campaign, from Winchester to Waynesboro. On July 19th he was commissioned a Second Lieutenant, and the regiment being short of officers, took command of Company C. He had his horse shot under him at Waynesboro when charging, and was wounded at the battle of Cedar Creek, on October 19th, by a Minnie-ball in the left shoulder, which

now entitles him to a pension of ninety-six dollars per annum. Having been carried off the field and the ball extracted, in company with some five hundred wounded, our subject was sent to Sheridan's Field Hospital at Winchester, where he lay on the ground for four days; thence he was sent to Martinsburg, on the Baltimore and Ohio Railroad, and after a month proceeded to Armory Square Hospital in Washington, and finally to the Annapolis rendezvous in Maryland. Having by this time sufficiently recovered to travel, Mr. Hussey now requested an order to join his regiment, which was accorded, and on reaching camp at Stevenson's Station, Virginia, was granted sick leave of absence to visit his relations in the Western States. On recovering from his wound our subject reported for duty at Remanet Camp, near Harper's Ferry, where he was detached as Acting Quartermaster and Commissary for the Sixth and Seventh Michigan Cavalry stationed at Point of Rocks, Maryland, and it was not until the close of the campaign that he rejoined his old brothers-in-arms at Appomattox Court House. With his regiment he proceeded to Washington for the Grand Review in which it took part. On April 29, 1865, Mr. Hussey received his commission as First Lieutenant of Company I, and on the 16th of June was promoted to the rank of Captain. This is but a summary sketch of our subject's part in the great war; to exemplify that his was no carpet soldier's lot, we would state that among the principal engagements in which he took a part were: South Anna Bridge, Ashley's Gap, Danesville, Aldie, Fort Stephens, Rockville, Poolsville, Summit Point, Berryville, Charleston, Halletown, Opequan, Winchester, Luray, Waynesboro, Tom's Brook, and Cedar Creek. Mr. Hussey was discharged at Fairfax Court House, Virginia, July 20, 1865, the regiment proceeding to Boston, Massachusetts, where they were mustered out of service. So soon as a settlement with the Ordnance and Quartermaster's Department could be made, our subject returned to Ohio, his native State, and for a few months attended the Beverly Academy, and subsequently entering the Ohio University at Athens there studied for a year. He now embarked in school-teaching for a short time. On January 1, 1868, he was united in marriage to Miss Abigail, daughter of Edward T. and Ann Way, of Noble County, after which he moved to Cherry Valley, Illinois, in the month of April, where he taught school for a few months. In the spring of 1869 we find Mr. Hussey once more in California, and entering the Civil Service was one of its members until February 1, 1883, save two years passed in San Joaquin and Solano Counties. On the last-mentioned date he resigned his position as Impost Bookkeeper of Customs to engage in the manufacture of blasting-powder known as the Excelsior Powder Company, whose office is at No. 3 California Street, San Francisco. Mr. Hussey has always been identified with the Republican party and has ever taken an active part in politics. He is a young man yet and has a brilliant career before him, as his honesty, industry, rectitude of purpose and high principles entitle him to. He now resides at No. 667 Thirty-fifth Street, Oakland, and has been blessed with a family of six children, two of whom, Simon Otho and Thurza Beatrice, were called away at an early age. There remain to Mr. and Mrs. Hussey four children; Abbie Mabel, Ida Benicia, Willie Way, and Minnie Ethel, the two eldest of whom are attending the public schools of Oakland.

JAMES HUTCHISON.—Was born in Lanarkshire, Scotland, May 24, 1824, and there served three years apprenticeship with his father to the trade of nurseryman, residing with him until he attained the age of eighteen years. After passing four years in several nurseries in different parts of the "land of brown heath and shaggy wood," he crossed the border to England, and entered the service of the Earl of Limerick at Dutchen Park, Hampshire, as head gardener, which position he occupied eighteen months. He now returned to Scotland and became foreman of the Princes Street Gardens, Edinburgh, and held that appointment six months, when he commenced to entertain the idea of emigrating. In the spring of 1847, he sailed for the United States, and first locating in Westchester County, New York, there followed his calling for three years. Mr. Hutchison now moved to New Jersey, where he took

charge of a most extensive private garden until March 1852, about which time he sailed from New York in the steamer *Pioneer*, via the Straits of Magellan, and landed in San Francisco, August 20, 1852. He immediately found occupation in a garden at the Presidio, but at the end of two months changed to conducting a flower establishment at the corner of Lombard and Kearny Streets, where he remained nearly a year. In the fall of 1853, purchasing land in Alameda, he there embarked in the nursery business, and laid the foundation of his present enterprise. In 1863 he came to Oakland, established himself at the corner of Ninth Street and Broadway, and in 1864 purchased the land at the corner of Twenty-sixth Street and Telegraph Avenue, comprising three acres and a half, where he has planted an extensive nursery. In 1877 he acquired his present property at the corner of Washington and Fourteenth Streets, Oakland, where he has a fine conservatory and floral seed and nursery depot. Married in Alameda 1855, Miss Elizabeth L. Sanborn, a native of Crown Point, New York, and has no issue.

WILLIAM B. INGERSOLL.—Was born in Boston, Massachusetts, January 31, 1834, and is the son of William and Serena (Sargent) Ingersoll. At the age of ten years he went to live on a farm, and was subsequently variously employed until the year 1851, when he commenced to acquire and afterwards followed the carpenter's trade until he was twenty-four years old. He then learned to be a photographer in the city of Boston, an occupation he followed until coming to California. Married Mrs. Annie F. Forest, of Lynn, Massachusetts, April 6, 1859. Left Boston for California September 26, 1860. Arrived in San Francisco February 23, 1861. He there followed his calling until 1865, when he crossed the bay and established his business in Oakland November, 1865, on Broadway between Third and Fourth Streets; afterwards moved to Sixth Street, between Broadway and Franklin, thence in November, 1868, to his present location, No. 1069 Broadway. Mr. Ingersoll's family consists of an adopted daughter named Rowena.

HON. DANIEL INMAN.—Was born in East Tennessee, in the year 1827, but when only nine years old was taken by his parents to Illinois, settling near Quincy, Adams County. Here he attended the common schools and learned farming. In 1846 he commenced to acquire the cooper's trade in Quincy, and in 1847 engaged in that trade on his own account, continuing it for two years. In April, 1849, he started for California with ox-teams, by way of the plains, and on arrival mined for a few months, when he opened a boarding-house in Sacramento in a canvas house that cost three thousand dollars, and which was ruined on account of the flood. Returning to the mines to retrieve his fallen fortunes, he there remained until 1853, when he embarked in sheep farming for a year at Danville, Contra Costa County. Mr. Inman now went to the mines, where he stayed until 1858, when he returned to his farm at Danville, and there resided eight years. Selling now his farm, he purchased his place in Livermore Valley, where he has since resided. In 1863 he contested the office of Sheriff of Contra Costa County with J. J. McEwen; in 1867-68, was elected to the Board of Supervisors of Alameda County; and in 1869, was elected to the Legislature over the Republican candidate. In 1873 he was defeated for the Legislature; in 1877 was again defeated. In 1878 was elected a Delegate to the Constitutional Convention; and in 1880 led the forlorn hope again to defeat for the House of Assembly, being again defeated in 1882. Married November 16, 1863, in Danville, Contra Costa County, Miss Josephine Jones, and has seven children.

HARRY INWALL.—Was born in Cincinnati, Ohio, May 20, 1840, and is the son of John H. and Elizabeth (Koster) Inwall. Having resided in his birthplace until the year 1862, he then enlisted in Company I, Second Ohio Cavalry, from which corps he received his honorable discharge at St. Louis, August 8, 1865. He now proceeded to Indianapolis, Indiana, where he opened a liquor saloon, which he conducted until 1868. At this time he came to California, and settled in Sacramento, where he was employed in the Golden Eagle Hotel until 1874; he subsequently came to Oak-

land and was with J. J. Hanafin until 1878, when he opened his present place of business known as the Sacramento Exchange. Married in Indianapolis, in 1867, Miss Ann Hanlin, who died in April, 1878. Married, secondly, Miss Mirza Beatty in September, 1882.

HON. JOHN P. IRISH.—Editor of the *Oakland Times*—is a native of Iowa City, Iowa, and was born January 1, 1843, son of Captain F. M. Irish, an old sailor who visited San Francisco Bay in 1820, when only the old Mission Dolores marked where the metropolis now stands. Jno. P. was a member of the Twelfth, Thirteenth, and Fourteenth General Assemblies of Iowa and also of the extra session which formed and adopted the present code of that State; was a Regent of the State University of Iowa; and was a Trustee of the Soldiers' Orphans' Home of that State. Was candidate for Congress in 1868 and 1872, and for Governor in 1877. Came to California in April, 1882, and removed his family to Oakland in September of that year.

AARON JACOBS.—This well-known and popular merchant tailor of Oakland is a native of Prussia, Germany, born May 3, 1852. At the early age of ten years he began to learn the tailor's trade with his father, where he remained for five years. He then proceeded to Dresden, and entered a cutting academy, from whence he graduated in the art of cutting in one year. In May, 1866, he sailed from Hamburg for America, arriving in San Francisco in June of the same year, where he found employment at his trade until 1870, when he removed to Ukiah, Mendocino County, where he engaged in business for himself for five years. He then came to Oakland and opened a similar establishment on Broadway until 1878, when he sold out stock, and entered the employ of J. Tobin, of San Francisco, until March 1, 1882, when he, in partnership with his brother, H. Jacobs, opened their present merchant-tailor store at No. 1062 Broadway, and are recognized as among the leading men in that line of business in the city of Oakland. Mr. Jacobs is married and has two children, viz.: Mollie and Sam.

JOHN WILLIAM JAMISON.—The subject of this sketch, whose portrait will be found in our pages, is the son of John and Vermelia (Edgar) Jamison, and was born in Washington County, Missouri, February 25, 1828. Here he received his early schooling, and resided, engaged in farming, until 1852, in which year his parents crossed the plains to California, our subject himself making the journey by way of the Isthmus of Panama. Arriving in San Francisco on the 6th August, Mr. Jamison at once proceeded to Placer County, and there embarked in mining, which he followed until October, when he abandoned the search for gold, and, coming to Alameda County, settled in the beautiful valley at the foot of the Contra Costa Range, and followed farming until 1854. He now returned to mining, the place of his operations being Clear Creek, Shasta County, and there remained ten months. In July 1855 he came back to this county and settled permanently on his father's farm, where he resided until the fall of 1859, when he located on his present place, consisting of one hundred and twenty-five acres. Here he has since resided, respected by his fellow-citizens. Married, October 17, 1861, Miss Helen J. Hamilton, a native of Lawrenceburg, Indiana, by which union he has four surviving children, viz.: William, Homer, Helen L., and Lillian Mabel.

F. C. JARVIS.—Was born in Ellsworth, Hancock County, Maine, September 11, 1832, and is the son of Commodore Joseph R. Jarvis, U. S. N. Having resided at his birthplace until the year 1846, he was taken by his parents to Portland, New York. In 1850, he commenced a seafaring life and followed it until the spring of 1851, at which date he came to California. His first employment was weighing hay for Ritchie & Stearns in Sacramento, and at the end of a year proceeded to the mines, and was there engaged until 1857, when he went to the Frazer River, being absent about twelve months, when he returned to San Francisco and commenced coasting, which he followed until settling in Alameda County in 1865. Married in 1873, Miss Emma Wiley, and has Olivia, Evelyn Otis, Emma Carr.

HOWARD S. JARVIS.—Son of Edward Scott Jarvis and Elizabeth (Sparhawk) Jarvis, was born in Hancock County, March 28, 1836, where he resided until 1853, in which year he came to California and located in Tuolumne County, where he engaged in mining and farming until 1860. From that time until 1867 he mined in Nevada and this State, when he entered into partnership with his cousin in Alameda. Married on December 3, 1872, Miss Maria R. Reeder, by whom he has: William Pepperrell, Charles Fitz, Neva T., and Elizabeth S.

WILLIAM H. JESSUP.—The subject of this sketch, whose portrait appears in this history, was born in Fayette County, Indiana, August 2, 1820, where his parents were engaged in farming. In 1829 he moved with them, and settled near Indianapolis, the newly established capital of the State, where with the combined efforts of the father and an older brother, they opened a small farm in the dense forest of beech, maple, walnut, and oak. Finding the clearing of such land too severe a task, his father sold out and removed to the northerly end of the State in 1833, and settled in the then wild but lovely prairies in La Porte County, where the charming new town of the same name had just been laid out. Here in this lovely place the family made what they supposed a permanent settlement. Here he was apprenticed in 1834 to Levy Decker to learn the blacksmith's trade, serving an apprenticeship of four years. After mastering all that could be learned in those primitive days in that trade, he quit it for the time being and served one year at wagon-making. Quitting this, he started to learn the carpenter's trade, the one that he had always had a desire to learn. During this period of six years his father had filled several offices of trust. The name of John Jessup was known all over that section, and honored and respected wherever known—genial, kind-hearted, and true to his friends, ever ready to accommodate and aid them with his name. All old settlers will remember how high speculation ran all through the West from 1835 to 1837, and how the country was flooded with worthless wild-cat money, and how in the latter year the crash came. Being a heavy indorser, he went down with the general crash. Discouraged with the prospect of re-establishing their former standing, the family held a consultation and decided to seek a home farther west. Gathering the remains of the wreck, the father left for Wisconsin, where he finally settled in the then small town of Milwaukee, where he soon after moved the family. The subject of this sketch and his older brother started with a small band of horses for the central portion of Illinois, arriving in Springfield on the day of the inauguration of President Harrison. Shortly after disposing of the horses, the brother joined the family at Milwaukee. But young Wm. H. remained in Springfield, where he completed his trade of carpenter, working on the new capitol and State bank, which were then in course of construction. But here again misfortune attended the efforts of our subject, as the failure of the bank swept away all his savings, but, nothing daunted, he persevered, and obtained a position as deputy postmaster in Rochester, Illinois, through the intercession of the lamented Lincoln, who manifested a deep interest in and friendship for the young stranger. After holding this position about a year, he again took up his trade of carpenter, and to still further advance himself in the useful arts, he served one year at the cabinet trade with John Gibson, in Logan County, Illinois. At the constant solicitation of friends, he joined the family at Milwaukee, in the dead of winter, on horseback, in the winter of 1843-44, crossing the prairies north of Peoria through a blinding snow-storm, in company with a party in wagons and sleighs, three of whom were frozen to death. But he, being young and vigorous, and being inured to all the hardships of rough frontier life, escaped with slightly frozen feet. Soon after his arrival in Milwaukee he engaged in his business of carpenter and joiner, taking contracts for buildings in that rapidly growing city. The following summer he became acquainted with and married Miss E. M. Goelzer, an estimable lady, of German birth, who has proved a faithful and loving wife and an attentive and affectionate mother. Seven children were the result of this union, two born in Milwaukee, one son and a daughter,

the latter dying in infancy. Everything moved on smoothly until the winter of 1848-49, when the whole country was agitated by the wonderful stories told of the rich gold discoveries in California. The contagion of the gold fever was general. Young Jessup couldn't resist, and straightway made preparations for the newly discovered gold-fields, but found it impossible to get ready for the following spring's emigration, and with many regrets he was forced to bid his friends good-by, after accompanying them several miles on their way, with the promise to meet them in California the next year, a promise which he made good. Selling out the following summer and fall, he was fully prepared for an early start the next spring. Forming a co-partnership with Joseph Pollock and John Davis, the party had a splendid wagon and outfit built, ready for starting. And on the 19th of March, 1850, he bade good-by to his disconsolate little family and sailed to Chicago by steamer, as at that time there were no railroads, with his party, there to take the canal-boat for the Illinois River; thence by steamer to St. Joseph, where the party bought mules and horses. And on the 4th of May they crossed the river, and struck out over the beautiful level plains of Kansas, that seemed to terminate only at the setting sun, with as fine a four-mule team and as complete an outfit as ever crossed the plains, and with two good saddle-horses. Before leaving St. Joseph the party took a passenger who was to assist in camp duty, besides paying two hundred dollars for his passage. They were also joined by the wife of one of the partners, Mrs. Pollock, which gave to the party a home-like, domestic appearance. They resolved on the start to keep themselves aloof from large parties, and take their leisure, that they might get their stock through in good condition, which proved a wise precaution. Mr. Jessup, being an expert with the rifle, as all frontiersmen were in the early settlement of the West, was selected to do the hunting for the party, and was released from all camp duty, except night-watch in the vicinity of roving bands of thieving Indians, and his unerring rifle kept the party and many a hungry emigrant abundantly supplied with fresh meat. The buffalo, deer, antelope, mountain sheep, hare, and sage-hen all had to pay tribute—always hunting on foot, frequently remaining out all night, constructing covers of sage-brush, making his meals of hard bread and dried buffalo-meat, meeting with many adventures and hair-breadth escapes with Indians and wild animals, in one instance only escaping the scalping-knife by a strategy learned among the Indians themselves. The distance traveled on foot by Mr. Jessup while hunting would more than equal the entire distance across the plains. Coming by the way of the South Pass and Sublette's Cut-off, down the Humboldt, through the Carson Cañon, they arrived on the summit of the Sierra Nevada on the memorable day when California was admitted into the glorious Union. When the summit was reached the entire party took off their hats and gave three hearty cheers, not that they knew that they were in a newborn State, but that they knew they were in California, and near the end of that long and toilsome journey, filled with so many dangers and privations. They arrived in Hangtown (now Placerville) on the 11th of September, 1850, where the party broke up and divided their property and parted good friends, each to pursue his own course, Mr. J. fell in with a party of young men—Frank Lick, afterwards Supervisor of Milwaukee, Wm. Bals, and James Dewey—all of Milwaukee. With those three he formed a company to engage in placer-mining, which they followed with varied success until the following spring, when the terrible May fire of 1857 startled the whole Pacific Coast, and even the East, and created a great demand for all classes of mechanics. Mr. Jessup left his party on the receipt of the news and started for San Francisco, buying a set of tools on the way, arriving in time to see what remained of the great city of adobe houses, board shanties, and canvass tents, enveloped in the smoke of the smoldering ruins. The morning after his arrival he obtained work at twenty-five dollars per day, for a few days, of a Mr. Shaw, a contractor, but those wages could not be expected to last long, so he engaged to the same gentleman for the season for ten dollars per day.

About a month passed, when the June fire came and swept away all that had been accomplished, together with nearly all the stock of goods taken from the store-ships and the greater amount of surplus building materials that remained after the May fire. Mr. Jessup lost all his earnings and tools, and his employer was a heavy loser, and to help him out his men gave him all the aid in their power, but he had finally to suspend; and here Mr. Jessup lost all his wages, only drawing enough to pay expenses, sending but little to his family, and paying fourteen dollars per week for board. The following fall he obtained a job of the late Capt. J. B. R. Cooper to go to Monterey at eight dollars per day, where he worked until the spring of 1852, when he returned to San Francisco and sent for his family, who arrived June 16, 1852, he working on his own account. Many of the buildings erected by him are still standing in San Francisco. After the arrival of his wife and child he engaged with the late B. R. Buckelew to build the now defunct California City in Marin County, returning to San Francisco January 1, 1853, where he worked at his trade until November, when he received an appointment from General Allen to take charge of the Folsom Street plank road, which position he held until it was about to be opened to the public, when he left that place, in the latter part of 1857, and took a contract to put up buildings for the Government at the Presidio. All his savings were judiciously invested in land, which was steadily increasing in value, until the spring of 1858, when the exciting news of the wonderful discoveries of gold in British Columbia stirred up anew the gold fever, and San Francisco was dead, and Frazer River was the new Dorado. Mr. Jessup, seeing that everything was at a stand-still in California, although not losing confidence in it, thought he could do something in the new field, while things were in this state at home; but his experience was no exception to that of others, resulting in loss of time and money, and suffering untold toil and hardships. He left San Francisco for Victoria in company with his cousin, John Rogers, in June, 1858, arriving in Victoria July 1st, and remaining in that city till the latter part of that month, he formed a party of fifteen to work together in the wonderful gold-fields of the upper Frazer, taking passage for the party on the steamboat *Umatilla*, on her first trip up the Frazer and through Lake Harrison—the first steamboat that ever disturbed the waters of that placid lake. He was present at the dedication of the new town of Port Douglas, located at the head of the lake. Here the party expected to have found canoes in which to transport their supplies up the Lilute, or Harrison, River, but the Indians having left for the lakes and taken their canoes with them, Mr. Jessup was forced to procure an Indian guide to go up the river to the Lilute Lakes to obtain canoes, which was finally accomplished with the greatest difficulty, as the Indians were becoming very much dissatisfied at the invasion of so many whites, and nothing but the lack of fire-arms and ammunition prevented an outbreak. After obtaining five forty-foot canoes, Mr. Jessup started on the return down that terrible river, with Indian guides in three canoes, who by a preconcerted plan ran the canoes close to the shore, when each Indian leaped out and took to the woods, and left the party to their own resources, and it was with the greatest difficulty that Mr. Jessup prevented the party from firing upon the fleeing redskins. The intention of the Indians, evidently, was to leave the guidance of the frail craft to inexperienced hands, who knew nothing of the dangers of the river, and so go over the falls and to inevitable destruction, and as it was, the party reached the cascade in one-fourth the time they expected, and nothing but a miracle saved the entire company from instant death, by running close in shore and leaping to the rocks. Three of the canoes were saved by throwing the tow-line to some friendly Indians on the shore; the other two canoes went over the falls and were dashed to pieces. The passage of near sixty miles was made in the incredible space of two hours and twenty minutes. In the ascent of the river the party endured the greatest hardships, wading in the ice-cold water of the river coming down from the snow-capped mountains, chin-deep, towing their heavily laden canoes after them. At the head of the river (Lilute Lakes) the

party abandoned the boats, divided the supplies, which amounted to three hundred pounds to the man. This had to be packed across a forty mile portage, by each, with what assistance he could get from an occasional Indian. The mode of doing this was to divide each man's load into three parts, carrying the first forward a quarter or half a mile and putting it down, then returning after the second, always leaving one man to guard the pile at each end of the route. Crossing lakes Leaton and Anderson on heavy log rafts, striking the Frazer at the mouth of Bridge River, where arriving, Mr. Jessup learned that the threatened Indian outbreak, on the lower Frazer had occurred, and all communication cut off, and the most startling reports of Indian massacres were received, and the Bridge River Indians were in a high state of excitement, and only the bold stand of the well-armed and sturdy intruders prevented an outbreak. After prospecting the section of the country in strong parties, in the immediate vicinity of the camp, and finding no paying mine, and at the end of nearly a month news was received of the suspension of hostilities, and Mr. Jessup sold out his stock of provisions and tools, and with three of his party started on his return home down the Frazer, on the 29th of September, arriving in San Francisco about the middle of October, after passing through the roughest experience of his rough life, and a heavy loser. On his return he started to improve his property, to make good his losses, building tenement-houses. In 1863 he engaged in the manufacture of matches, starting the Eureka Match Factory. At first he met with poor encouragement from the trade, as the importers of San Francisco were handling the Polac, or Geneva, match, and having a large stock on hand, would not aid him in introducing a home article, but on the contrary put every obstacle in the way of success. Mr. Jessup warned them he would yet have the trade, that Polac could no longer monopolize the match trade on this coast, and that he was bound to succeed or lose \$20,000, and that he would supply their customers for one year free of charge if they would not aid him in the introduction of his manufacture, and so keep the money in the country. They laughed at him for presuming to buck against the importers of San Francisco, and Polac, a man who employs six thousand hands. He replied that if Mr. Polac employed six hundred thousand hands, he could no longer sell his matches in this market. Mr. Jessup then took in two partners, Wm. B. Williams and Wm. H. Finch, and putting in new and improved machinery, ran the factory to its full capacity, sent wagons out, scattering their goods broadcast over the country, giving away thousands of gross. This soon began to tell on the trade, and in less than one year there was but little call for the imported match, and inside of three years the importation ceased, and the importers were forced to close out their unsalable stock at ruinous prices. In the mean time the factory prospered under the efficient management of Mr. Jessup until an unfavorable ruling of the Commissioner of Internal Revenue, at Washington, forced them to shut down the factory. The unfavorable ruling was to allow the importer to sell imported matches in original cases without stamps, to be stamped by the retailer when offered for sale. The effect of this ruling would be to allow great quantities of matches to pass into the hands of large consumers without stamps. Mr. Jessup sent a long communication to the Commissioner, setting forth the working of the order and the hardship it would work on home industry. On the receipt of this communication, the Commissioner telegraphed immediately to have all matches stamped. At this time the Eureka factory was consuming from eight to ten thousand feet of lumber a month, and their stamps were running from five hundred to a thousand dollars a week. This piece of maneuvering took the last hope from the importer, and Mr. Jessup had the field to himself until the Chinese and unscrupulous white men saw a chance of making money by evading the high stamp duty on matches, procuring children and women to sell their illicit manufactures all over the country, which made the business less profitable. In 1865 Mr. Jessup sold a one-fourth interest in the factory to Elam & Howe, retaining a one-half interest, Mr. Finch having withdrawn. In that year the company met with a severe

loss, in the burning of their factory, with about fifteen thousand gross of matches, not saving a dollar from the ruin. In the winter of that year also Mr. Jessup met with a heavy loss by being flooded out, and his beautiful house and property on the corner of Twelfth and Folsom Streets almost destroyed by the building of a sewer by the city authorities, for the purpose of draining Hayes Valley. Failing to finish the sewer before the wet season, the heavy rains of the following winter swept down over his property carrying everything movable before it. Mr. Jessup brought suit against the city for damages, which was persistently contested on both sides for thirteen years. Mr. Jessup obtaining a judgment, a new trial was granted, and again he received a judgment, which was finally affirmed by the Supreme Court. After reconstructing his house and greatly improving it, he again met with a heavy loss in 1870, by fire. Just as his house was completed and being furnished, it was burned, with a large amount of property. The loss was about \$23,000, partly insured. As his home was destroyed, Mr. Jessup thought it would be a good time for him to visit his friends at the East; so, after an absence of twenty years, with his wife and eldest daughter, he made a visit to them, remaining eight months. Returning on the 5th of August, 1871, he immediately set to work to reconstruct his house, which was finished the following winter. In 1873 he sold out his entire interest in the match factory (which had been conducted by Mr. Williams) to Elam & Howe, as the business had become less profitable. Mr. Jessup then cast about for some more remunerative business. Finding a fine millsite in Lake County, he closed a bargain and bought the Martinez Flouring-mills, of four run of stone, took them down and moved them to the new site, where he erected the finest country mill on the coast, three miles west of Middletown and near Anders Springs, on the Lakeport road. Mr. Jessup took in a partner, one Russell Stevens, a good mechanic, and excellent mill man, who had no money, but a pocketful of recommendations from business men of San Francisco, giving him a one-half interest, to be paid for out of the profits. He subsequently bought the Cobb Mountain Saw-mills with sixteen hundred acres of timber land, putting this man Stevens in charge (with a one-half interest in both mills) until he himself could settle up his business in the city and take charge in person. But before this could be accomplished, Stevens had, by conspiring with others, involved the whole business to such an extent that it was impossible to extricate it, coming at a period when money could not be obtained on any security, at the time of the suspension of the Bank of California. Mr. Jessup commenced an action of injunction against Stevens, demanding an accounting, had him arrested for fraud and contempt of court. He got out of jail on false affidavits and jumped on board the *Mexican*, then lying at the wharf with steam up, and was off to Mexico, with all the funds of the concern. This proved the most unfortunate speculation of Mr. Jessup's life, losing nearly \$25,000 by the transaction, involving him in total ruin. In order to pay off the debts incurred he sold every foot of property he owned, amounting to over twenty thousand dollars, which did not yet clear him, leaving him, with but his hands and good health, to start anew with. Undaunted, he was ready to fight over the battle of life, when a still more severe loss befell him, and one that was forever to affect the remainder of his hard and eventful life, in the loss of a beloved and lovely daughter, just budding into womanhood. He no longer desired to make San Francisco his home, and by the assistance of a good friend he was enabled to procure his present home in this county, encumbered with a debt of \$16,500, without a dollar to stock the place with, or to support his family until the next year's crop came in. With a brave heart and determined to win or die, he left his old home that he had occupied for twenty-three years (and in which five children had been born and reared), to seek the peace and retirement of the country, and to adopt horticulture as a profession—a business he always had a taste for, and one that he was eminently fitted for by nature. He immediately took a leading part in the horticulture of the State, is an active member of the State Horticultural Society, a member of Eden

Grange; he is referred to as authority on horticultural matters. Keeping up an extensive correspondence on horticultural concerns, his correspondence extends from Oregon to Texas. He also has contributed extensively to the press of the Coast. He is a regular contributor to the *Pacific Rural Press*, and an occasional contributor to the *Rural Californian*, at Los Angeles, the *Oakland Tribune*, the *San Francisco Bulletin*, *Haywards Journal*, *Willamette Farmer*, Portland, Oregon; and a good article of his is published in the State Agricultural Report of 1881. Many of his effusions have been republished by other papers in the State, and to his untiring efforts and faith in the future importance of the fruit industry of the coast, is due in a great measure the impetus given to the horticultural interest of this State during the past four years.

JOHN JOHNSON.—The subject of this sketch, whose portrait appears in this work, was born in the city of Hamburg, Germany, March 14, 1818, and when an infant had the misfortune of losing his father, mother, brother, and a sister, in the burning of a distillery which his father owned, Mr. Johnson, then in the cradle, being saved by the courage of his elder sister, with whom he dwelt until he attained the age of thirteen years. At this time he commenced a seafaring life, shipping as cabin-boy on board the brig *Louise Field*, of Hamburg, and made his first voyage to Hull, England, where he took a cargo of coal for Flensburg. On November 23, 1831, he suffered shipwreck in the Skager Rack, the arm of the North Sea, between Denmark and Norway, where all on board were lost save our subject and Fred. Olsen, the latter of whom, clinging to the gallant-mast, and the former to the maintop-gallant-mast, were tossed about in the cold and tempestuous sea for upwards of twelve hours. Being ultimately picked up by a pilot-boat, they were landed at Frederickshaven, whence they begged their way, through some five feet of snow, sometimes being obliged to sleep in it, and occasionally finding the poor shelter of a barn, to the city of Flensburg, where, Olsen dying from cold and exposure, Johnson was taken charge of by his Consul and sent to Hamburg, where he arrived January 20, 1832. He now engaged in the coast trade until March, 1833, when he shipped on a voyage to Greenland, in the *O. Roakcol*, when six thousand seals, a whale, and one polar bear were captured, on the latter of which our subject whiled away the time by practicing the taxidermist's art. On getting back to Flensburg, he once more shipped in coasters until the whaling season, when, in March, 1834, he made another voyage to the high latitudes, in his former vessel. In September of this year he made a voyage to Newcastle, England, for coal, and on March 18, 1835, started in the ship *Has. Home* on a whaling cruise, when they reached as high as seventy-six degrees north. On this voyage they took a shipwrecked crew off the floe, that had been on the ice for eight days. In October, 1835, he made a trip to the island of St. Thomas, West Indies, loaded with sugar, and returned in February, 1836. In the following month he sailed from Eckenfur, on another whaling voyage, when eight thousand seals and two whales were captured, returning August 12th of the same year. On April 2, 1837, he returned to the island of St. Thomas, was attacked with yellow fever, sent to the hospital, and left behind. On recovering, he shipped in the schooner *Iovio*, November 9, 1837, and, after leaving port, found he was to take part in the slave trade. Proceeding to the west coast of Africa, they there took on board two hundred and forty negroes, with whom they returned to St. Thomas, the trip occupying six months, and being attended with many dangers. In May, 1838, having taken a cargo of sugar on board, Johnson sailed for New York, and thence proceeded to Valparaiso, and afterwards to the Chincha Islands, where, loading guano, they sailed for New York, and arrived April 5, 1839. His next voyage was to Paraguay, three hundred miles up the Rio de la Plata, where, loading a cargo of native wood, they returned to Montevideo. At this time war was raging between Paraguay and the Argentine Republic, and when on a journey some hundred miles up the river with the ship's boats to procure fresh water, they were attacked by two large launches, and a severe

fight ensued, Johnson and his party ultimately getting clear without damage. After making some trips to that locality, our subject returned to New York, where he arrived April 12, 1841. In December of that year he shipped in one of the Black Ball line of clippers for Liverpool, and when two days out was struck by a squall that nearly tore the masts out of her; but rigging some gear, however, they returned to New York, where they arrived four days after they had set sail. After repairing, on March 2, 1842, another start was made, and the voyage across the Atlantic successfully accomplished. After another round trip in this line, Johnson proceeded to Boston, and there shipped in the *Prince of Wales*, in 1843, bound to Calcutta, East Indies, and thence to London, England. He now went to Liverpool, and on September 9, 1844, signed articles for another voyage to Calcutta, on board the *Bounty Hall*, and arrived February 27, 1845. Our subject kept in the East India trade until 1847, when he proceeded to Russia, and lay four months in the ice at Cronstadt, afterwards returning to Boston, where he arrived in March, 1848, subsequently making trips to St. Malo and Boston. In 1849 he sailed in the ship *Louise Field* for California, and in 1850 first entered the Golden Gate; and, after working as a stevedore in San Francisco for some time, went across the bay to where the city of Oakland has since sprung up, and there commenced burning charcoal. He thence went to Mount Eden, there took up his residence, and, embarking in salt-making, has since been largely engaged in that occupation. In the winter of 1852 he commenced hunting; and, among exploits too numerous to mention, on one occasion came to close quarters with a grizzly, which, after severely wounding, he finally killed. But it is unnecessary to follow further Mr. Johnson's adventurous life. He has had hair-breadth escapes in every part of the world. When but a youth, we have seen him shipwrecked; in the perilous voyages to the Arctic seas we have followed him; and in the far-away Straits of Malacca he was attacked by Malay pirates. Out of all these "tight places" he has come with credit. He is now quietly ensconced at Mount Eden Grove, where he maintains an unstinted hospitality, living a retired life, and surrounded by the comforts he so well deserves. Married, July 4, 1855, Miss Augusta Lorentz, a native of Hanover, and has two children, viz.: August and Sophia.

ANDREW JONES.—The subject of this sketch, whose portrait appears in this work, was born in Seneca County, New York, October 12, 1837, where he resided, save one year, until he came to California in the month of October, 1869, embarked in farming with his brother, and now owns thirty-five acres of land and leases one hundred and eighty acres more; employs about seventy-five men during picking season. He is engaged in the cultivation and manufacture of pickles. Married, April 27, 1858, Miss Jane C. Greene, and has three surviving children, viz.: Nellie (now Mrs. M. J. Fontana), Edna, and Mary.

EDMOND JONES (deceased).—This gentleman, the brother of the above-named Andrew Jones, was a Quaker by birth, and born at Janetta, Pennsylvania, in the year 1820. After carrying on a dairy business near Philadelphia, in 1853 he emigrated to California, and on arrival began a draying business, but soon after engaged in the pickle trade with — Baker, in San Francisco. In 1856 he came to Alameda County, embarked in farming operations near San Lorenzo, and there resided until 1864, when he removed to the ranch where his brother now resides. He died December 31, 1878.

MICHAEL J. KELLER.—Was born in County Cork, Ireland, September 29, 1844, and there resided and served a regular apprenticeship to the dry goods trade. In April, 1868, he sailed for San Francisco, and arrived in the following month; he then proceeded to Sacramento, where he found employment in a drygoods store for a short time. He subsequently opened a store in Marysville, and there resided eight years. After spending two years in San Francisco, in March, 1878, he came to Oakland, entered the employ of Miller Brothers, continued with their successors, and in

March, 1879, opened his present shirt manufactory and store at No. 1007 Broadway. Is married and has one child, named George M.

CHARLES A. KLINKNER.—The subject of this sketch, whose portrait appears in this work, is the son of John and Catharine (Hermann) Klinkner and was born in Ausen, Germany, June 25, 1852. When our subject was only two years of age his parents emigrated to the United States, and on arrival proceeded to Iowa and located in the town of Cascade. Here his father followed the shoemaker's trade, while Mr. Klinkner attended school. At the early age of eleven years he entered a mercantile establishment in that place, subsequently removing to Worthington, where he remained three years. For a year previous to his coming to the Pacific Coast he followed farming. August 19, 1872, he started for the Golden State, arriving in San Francisco on the 28th of that month. He first found employment in the auction house of Van Shaack, on Kearny Street, where he remained eleven months, at the expiration of which time he proceeded to Solano County, followed farming for four months, and subsequently started and continued a huckstering trade throughout the country for two years. In the fall of 1875 he engaged in and laid the foundation of his present prosperous business, in canvassing for Hollister & Co., and at the end of one year opened a factory at No. 103 Montgomery Street, San Francisco, for the manufacture of rubber stamps. Here he prospered until he found his quarters too limited, when, in 1878, he moved to his present place of business at No. 320 Sansome Street, San Francisco, where he is engaged in the manufacture of all kinds of rubber stamps—a business that with small beginnings has grown into one of vast proportions. Married in Vacaville, Solano County, November 23, 1875, Miss Catharine Parke, a native of Alameda County, and has three children, viz.: Charles A., Frederick G., and Herman.

ERNEST F. KOHLER.—Born in Hanover, Germany, January 16, 1842, and there was educated and resided, being with his uncle in a distillery until he attained the age of seventeen years. He then emigrated to the United States, and arrived in New York September 3, 1860, where he resided until coming to California in December, 1861, landing in San Francisco on Christmas Day of that year. At the end of a twelvemonth he embarked in agricultural pursuits on Sherman Island, where he remained until June, 1868, when he returned to New York on a visit. In the month of August of the same year he came back to California, and engaged in wine-making in different localities until 1878, when, in September of that year, he purchased his present ranch of three hundred and twenty acres in Contra Costa County, on which he has a vineyard and orchard sixty acres in extent. Mr. Kohler is engaged in the wine and liquor business at No. 1502 Seventh Street, Oakland. Married, in San Francisco, Miss Matilda F. A. Klusmann, a native of Mecklenberg-Schwerin, Germany, and has: Frederick, Matilda, and Henry.

LEWIS KNOX.—Was born in Licking County, Ohio, August 20, 1829, and is the son of Titus and Margaret Ann (Sinnolt) Knox. At the age of seven years, his parents moving to Delaware County, in the same State, our subject resided there until April, 1852, when he started for the Pacific Coast and landed in San Francisco on May 13th. He at once proceeded to San José and continued farming there until 1857, in which year he returned to Ohio, where, June 23, 1857, he was united in marriage to Miss Mary Allen, a native of Franklin County. On the 1st July following, accompanied by his bride, Mr. Knox once more turned towards California, and on arrival settled at Haywards, where he lived until 1861, when he came to his present place, consisting of one hundred acres where he is engaged in general farming and fruit-raising. His family consists of three sons and a daughter, viz.: Owen, Ellie (now Mrs. Lynch), Harry, and George.

WILLIAM KNOX.—The subject of this sketch, whose portrait appears in this work, was born in Licking County, Ohio, July 9, 1823, and there resided for the first thirteen years of his life. He then moved to Delaware County, in the same State, where he lived with his father upon a farm up to 1846, afterwards entering into the occupation

of driving cattle, an employment he continued until the spring of 1850. On March 1st of that year he removed to New York and with seven companions sailed therefrom on the *Empire City* for the Isthmus of Panama, thence by sailing-vessel to San Francisco. The latter part of this voyage was attended with difficulties which culminated in the suicide of the master of the ship and her putting back. In Panama our subject worked for two weeks in a restaurant, and finally paying three hundred dollars for a passage-ticket on board of the old steamer *Isthmus*, arrived in San Francisco, July 12, 1850. Proceeding at once to the mines on the Yuba River, Mr. Knox there worked until the following year, 1851, when he transferred his habitation to San José, and in the fall embarked in farming operations, which he successfully continued up till the autumn of 1853, at which time he paid a visit to the scenes of his youth in Ohio. There purchasing a band of sheep he drove them across the plains to Santa Clara County, where he arrived in the month of October, 1854. Mr. Knox now engaged in sheep-farming, making his home in that historic county until the fall of 1856, when he came to Alameda County, located in the vicinity of the place where he now resides and there followed sheep-raising until 1873. In the year 1864 our subject revisited his childhood's home in Ohio and brought back with him to California a band of horses, while once again, in 1869, he turned his steps eastward to revisit the land of his youth he loves so well. Mr. Knox is now the possessor of property aggregating eight hundred and forty acres and acquired as follows: In the fall of 1864 he purchased a plot of land at San Lorenzo, Eden Township, comprising one hundred and four acres; in 1867, he bought a half-section of land in Murray Township; and again, in 1873, a ranch of three hundred and sixty acres also situated in Murray Township, while the farm on which he now resides he acquired in 1861, and it is at present under general grain and fruit cultivation. Mr. Knox married in Franklin County, Ohio, June 23, 1857, Miss Rhoda L. Greenleaf, a native of Middlebury, Vermont, who died December 16, 1882, by which union there have been born seven children, only three of whom survive, viz.: Milo, William, and John.

JOHN W. KOTTINGER.—The subject of this sketch is the youngest son of Anthony and Rosa (Koenig) Kottinger, and was born in Austria, November 24, 1820. When nine years of age he was sent by his parents to the city of Vienna, the capital of Austria, where he received that education which leaves him a scholar of great erudition. At the age of twenty-two years he entered the family of Prince Charles Lichtenstein as private tutor, where he remained until November, 1845, in which year he went to Switzerland. In 1846 he crossed the Atlantic to New Orleans, and came from there with George D. Prentice to Louisville, Kentucky, with whom he was connected until February, 1847, while that gentleman was editor of the *Louisville Journal*. Mr. Kottinger subsequently resided in different portions of the United States, and ultimately sailed from New York to Rio de Janeiro, Valparaiso, etc. finally arriving in California, September 16, 1849, on the Hamburg bark *Adelgunda*. After a sojourn of six days in San Francisco our subject proceeded to the Pueblo de San José, where he opened the first school taught there. From January, 1850, he acted as interpreter in the different courts of Santa Clara County, until October, at which time he purchased a band of cattle and drove them to the mines for sale. This done, he returned to San José and entered into partnership with District Attorney Sanford, being admitted to the practice of law in the spring of 1851. In the fall of that year he came to what is now Alameda County and settled at Pleasanton, then commonly known as Alisal from the many sycamore trees in that vicinity. For an account of Mr. Kottinger's doings we refer the reader to the history of Murray Township. In January, 1852, he was joined by his family, and then entered into the business of stock-raising, which he followed until the year 1857, at which time he removed his residence to San Francisco and embarked in the real estate business. In 1862 he returned to Alameda County, where he has since resided. Married, April 27, 1850, Señorita Maria R. Bernal, and has a family of nine children surviving, viz.: John, Franklin, Alfred, William, Rosa Eva, Annie, Maggie, and Martha.

JOSEPH LANCASTER.—The subject of this sketch, whose portrait appears in this work, was born in Wakefield, Yorkshire, England, November 24, 1842, and there passed the first twelve years of his life, having attended school in that town. After serving an apprenticeship of seven years at his trade in a large establishment at Batley, he then worked as a journeyman tailor until 1863, when he sailed from Liverpool for the United States. Landing in New York, after a short time he proceeded to Newburgh, but a few weeks subsequently, in the month of October of that year, enlisted in Company A, 115th Regiment, New York Volunteer Infantry, Colonel Simmons, commanding, and at once proceeded to the south, joining his regiment at Beaufort, South Carolina, where it was then stationed—the 115th was a part of General Seymour's command, which made a campaign in Florida early in 1864—taking part in the engagement at Olustee, Florida, where he was wounded, and still bears the scar. He was then invalided for three months, after which, first having a short furlough, he rejoined his regiment before Petersburg, Virginia, where it took an active part in the siege, and he made the assault on the rebel lines with his corps, when the mines were exploded under the enemy's works on the 30th of July, called the Bloody Battle of the Crater. He next proceeded with his battalion to Point of Rocks, on the north side of the James River, where, in a charge on the rebel's lines, he had the third finger of his right hand shot away at the middle joint; he next proceeded to Fortress Monroe, and a few weeks later was shipped to the North. On recovering from this last wound he returned to Newburgh in the fall of 1864, and two months thereafter paid a visit of a few weeks duration to Canada, whence he found his way to New Bedford, where shipping on board the *Sophia Thornton*, whaler, he sailed around Cape Horn, *via* the Sandwich Islands, to the Arctic Seas. He was there captured by the rebel cruiser *Shenandoah*, which destroyed every vessel she overhauled. The crews being eventually paroled, they were sent to San Francisco, and 'twas thus that our subject found himself in California. In July, 1865, he arrived in the Bay City, and finding employment at his trade with Francis Dixey, on Washington Street, there remained a year, after which he started in business on his own account on California Street, near Montgomery, and after several moves, finally, in January 1880, took up his present location at No. 531 California Street, San Francisco, where he is engaged in a large and prosperous merchant-tailoring business. In 1871 he purchased land and built his present residence on Encinal Avenue, Alameda, where he enjoys the well-earned comforts of a happy home. Married, January 13, 1869, Miss Eliza Richards, a native of England, and has five children, viz.: Charlotte E., Susan H., Joseph L., Harold L., Bessie M.

A. G. LAWRIE.—Was born in Edinburgh, Scotland, in 1827. He came to San Francisco in the year 1860, establishing himself as a Searcher of Records in San Francisco and Virginia City, there remained until 1865. In that year he proceeded to Alameda County in the like occupation, where he has since maintained a continuous residence. Mr. Lawrie has had a long experience in his business, and takes rank among the leading searchers of records in the State. His office is situated at the northeast corner of Broadway and Fifth Streets, Oakland.

RICHARD LEHRBASS.—Was born in Prussia, Germany, October 13, 1853, and there resided with his parents until he attained the age of sixteen years. He then commenced learning the brewery business, which occupation he followed until he emigrated to the United States. Landing in New York on November 1, 1872, he at once proceeded to Detroit, Michigan, and there worked at his calling until the spring of 1875, when he moved to Connecticut, then to Ohio, and in the spring of 1876 came to California, arriving in San Francisco in the month of July. Here he was employed in a brewery until the following June, when he moved to Oakland, Alameda County, and found occupation at the same trade. He subsequently engaged in the bottled beer business, and finally purchased the saloon at Market Street station on Seventh Street, Oakland, where he is now engaged in business.

COLUMBUS R. LEWIS.—Was born in Jefferson County, New York, July 17, 1838, and is the son of Grandison and Mary (Choffee) Lewis. At the age of sixteen years he left home, and commenced clerking in Oswego, New York, where he remained until 1860. In that year he emigrated to California, and after passing two years at the mines in Inyo and Tulare Counties came to Oakland, in 1862, and worked at his trade of carpenter. He was the first fireman of the Central Pacific Local Train. The three following years he passed in a mercantile house, and in 1868 commenced a commission business which he still carries on. In March, 1880, he was elected to the Council of the City of Oakland, and still is in the performance of the responsible duties attendant on that office. Married, September 22, 1869, Mrs. Florence Hungerford, a native of New York, and has one child, viz.: Arthur, and two step-daughters: Kirkie and Nellie Hungerford. He has identified himself with the growth of the city of Oakland by the erection of a permanent brick building on Washington Street, and may be said to be one of the pioneers of Oakland City.

CAPT. JAMES MORTIMER R. LEWIS (deceased).—Was born in Mount Vernon, Virginia, in 1812, and was a son of Thomas Lewis, an officer of the Revolutionary Army. When young our subject was placed with his uncle, Wash. Roby, and received his early schooling in Washington City. He then entered the United States Navy, serving under such gallant heroes as Commodores Perry and Farragut. Having surmounted the intervening grades from Ensign to Captain, in 1837 he was dispatched to the Pacific Coast, and as early as the fall of that year had anchored off Goat Island. Continuing in the Navy until 1842, he then entered the mercantile marine, and was for eight years on the route between New York and Liverpool. In 1849 he made a voyage to California, and returning to New York, sailed thence to Liverpool, as officer of the ship *Star of the West*. On his return he became a benedict. Until 1853, he ran on the route between New York and Havre, and in June of that year launched the clipper ship *Young America*, and sailed round the Horn to San Francisco. On arrival he entered the employ of the Pacific Mail Company, and was on the route between San Francisco and Nicaragua. In October 1855 he returned to the Empire City, but subsequently sailed again in the ship *Adelaide*, Captain Wakeman, for the Bay City, where he joined his wife, who had left New York a few days subsequent to his departure, and coming *via* Nicaragua, had preceeded his arrival by some time. Captain Lewis now took up his residence in San Francisco, but remained in the employ of the Pacific Mail Company, plying between the Coast ports until 1858, when on account of declining health he made Centreville his home: Taking up his residence there, April 20, 1858, with his wife, a few months later the erection of the hotel now conducted by Mrs. Lewis, was commenced, it received the name of the United States, and there the veteran captain resided up to the time of his death. In 1865 he took up a ranch on the San Joaquin, which his widow now owns. January 15, 1873, the captain was gathered to his fathers, after a long and patient illness. He lies buried at the Mission San José, and over his grave has been erected a handsome monument by his sorrowing relict. Married in New York City, October 8, 1850, Miss Bridget J., daughter of Edward and Mary (Forristall) Wall, of Carrick Bay, County Waterford, Ireland, by whom he had two children, now deceased.

WILLIAM M. LISTON.—Was born in Lancaster County, Pennsylvania, July 31, 1813, and at ten years of age was taken by his parents to Wayne County, Indiana, where he received his education and resided on a farm for eight years. Proceeding in 1831 to the then territory of Michigan he was for six years engaged in trading with the Indians in Berrien County, and for two years subsequently carried on the trade of butcher there. On December 31, 1838, he left Michigan, and going to South Bend, Indiana, there passed three years as clerk in a lawyer's office, afterwards engaging in the lime trade. In June, 1846, he returned to Michigan, located at St. Joseph, and being in poor health recruited for the next eighteen months, at the end of which time he purchased a saw-mill and conducted it until November 30, 1850, but his establishment

being consumed by fire, after settling his affairs, he found himself with just sufficient money to take him to California—the Land of Gold. On June 1, 1851, he started with his wife and child for New York, and there taking passage in the steamer *Prometheus*, sailed for the Isthmus of Panama. On the Pacific side he made the voyage in the *Sea Bird*, but being extremely ill he was put ashore at Monterey. After a few weeks in that ancient city he made the journey northwards and arrived at Mission San José, July 29, 1851, and was for twenty-seven weeks in the employ of Henry C. Smith. He was afterwards engaged in the building of a warehouse for the same gentleman at Alvarado, after which he moved to San Francisco, and for a few months conducted the old Montgomery House, situated on the thoroughfare of that name between California and Pine Streets. Like everybody else Mr. Liston took a turn at the mines, but one day's work was sufficient to prove to him that it required a maximum of toil to produce a minimum of gold, he therefore returned to Alvarado and worked for wages on a farm until the fall of 1852. He then embarked in a grocery business, in a building now vacant, located on Minden Lane. At the end of eighteen months he went into the stock business which he followed until the fall of 1861, when once more hard fate dealt unkindly with him. Undeterred, however, he once more essayed hotel-keeping, and opened the Brooklyn House on the ground where he is now located, and conducted it four years. Mr. Liston next engaged in staging from Warm Springs to Haywards, San Leandro, and Oakland, remaining thus occupied until 1872, during which he had the contract for carrying the mail from San Leandro to Centreville, which last he held until 1861. In the month of October of that year he opened the Alvarado Tavern, which he at present conducts. Besides being a Justice of the Peace for Washington Township, he is also a member of the local Pioneer Association. Married in Michigan, November 18, 1847, Miss Catherine Kelly, a native of Canada, and has three surviving children, viz.: Maggie (now Mrs. W. F. Ingalls), Mary (now Mrs. D. C. Owens), and Jonathan J.

ROBERT LIVERMORE (deceased).—This old pioneer, after whom is named the fertile Livermore Valley, in which stands the prosperous town also so called, was born in Bethnal Green, London, England, in the year 1799, and there remained until 1823, when he entered the naval service of Great Britain, taking part in several notable sea fights, being for some time on the South American Coast under Lord Cochrane, afterwards Earl of Dundonald, when that famous Admiral was in command of the Peruvian fleets. He subsequently entered the merchant service, and while serving in that branch of the marine service came to Monterey in the year 1820. He soon after took to a shore-going life, and proceeding to the Pueblo de San José, there became acquainted with his future partner Noriega. Having worked for some time in the vicinity of the pueblo on the ranch of Juan Alvirez and there acquiring the Spanish language, he soon became a great favorite among the Mexicans, his fair hair and captivating manners making him especially liked among the gentler sex. Not long after he removed to the Rancho Agua Caliente, or Warm Springs, where he stayed with the family of Higuera, and quickly finding favor in the eyes of one of the daughters of the house, secured her for a companion through life. We next hear of Robert Livermore in what is now the Suñol Valley where building an adobe residence he located and entered upon the raising of stock and the cereals. He was here joined by his old comrade Noriega, and with him developed the idea of securing a rancho in the neighboring valley, then a wilderness of wild oats and chaparral and the home of large and small game. In 1835 he settled on the Las Pocitas Rancho, in Livermore Valley—the grant being secured in 1835—and subsequently purchasing the interest of Noriega, there resided until the day of his death, which occurred in February, 1858. His estate he left to his wife and eight children. Robert Livermore was essentially a good man and true, and was of that grit of which the proper pioneer is made. His hospitality was unbounded, his open hand and heart knew no stint, he died as he had lived, respected by all who knew him. A volume could be written

upon his many virtues, let it be our duty to here, as well as in other portions of this work, perpetuate his name in the annals of Alameda County.

ROBERT LIVERMORE.—This gentleman, whose portrait will be found in our pages, is the eldest son of the above distinguished pioneer and is the worthy son of a worthy father. He was born in Santa Clara County in the year 1840, and there remained until 1847, when he came to his father's Rancho, now Livermore Valley. Here he has resided ever since. Up till 1868 he was engaged in stock-raising, but in that year he embarked in the cultivation of the cereals, an occupation he still continues. His education he received at the colleges of Benicia and Santa Clara. In Robert Livermore we have one of nature's noblemen whose word is his bond, and whose instincts place him beyond a paltry act. He is respected by every one for his own sterling worth as well as for the name he bears, while as a friend, happy is he who can claim that tie of amity. He married, November 25, 1861, Señora Teresa Bernal, and has six children, viz.: Isabella, Victoria, Charles, Katie, Nicholas and Delphina.

MAAS LUDERS.—Was born in Holstein, Germany, January 27, 1837. At the age of fifteen he commenced a seafaring life and after six years of a "life on the ocean wave" with all its concomitant disadvantages he found himself in New York Harbor. On July 26, 1858, he shipped on board the *Mary Brigham* from Savannah, Georgia, bound *via* Cape Horn to San Francisco, California. In the Bay City Mr. Lüders arrived November 11, 1858, and now trying a shore-going life he came to Alameda County and first found employment for six months in Washington Township, then with Cornelius Mohr, Eden Township, until September 15, 1861. In this year Mr. Lüders rented land near Haywards and resided on it until 1865. In 1863 he rented a portion of the Dougherty Ranch, which he farmed while residing in Haywards. Finally, in the fall of 1865, he came to the place where he now lives, about two and a half miles west of Livermore, where he has been engaged in farming extensively up to the present time. In 1881 he purchased a tract of land of Wm. M. Mendenhall; a portion of the Rancho El Valle de San José, also a part of the Santa Rita Ranch, where he intends to make his permanent home in the future. He married November 21, 1872, Maria Hagemann, also a native of Holstein. The family consists of a stepson named August Hagemann. A portrait of Mr. Lüders will be found in this work.

JOHN L. LYON.—Was born in Ogdensburgh, St. Lawrence County, New York, April 7, 1842. Was educated at the High School of that place and there resided until he attained the age of nineteen years. He then entered the army. On the day after the fall of Fort Sumter he enlisted as a private for six months, afterwards, however, enlisting for two years in Company A, Sixteenth New York Volunteer Infantry, and serving with his corps in all the principal engagements of that sanguinary conflict. He was with the Sixteenth at the first and second battles of Bull's Run, the seven days' fight on the Peninsula, the first fight at Fredericksburg at Antietam, and at the second battle of Fredericksburg, eighteen battles in all, in many of which he carried the national colors, and as a matter of course was always in the thickest of the fray, while his "hair-breadth 'scapes" are to be counted by tens. While at Salem Heights he received three bullet holes through his pants and had his haversack shot off, while two of the stars were carried away by bullets out of the banner he bore. On September 29, 1862, he was promoted to be a sergeant of his company. On January 1, 1863, he was told off as permanent color-bearer of his regiment, a distinguished but hazardous position he occupied until the expiration of his time, when he brought home the bullet-riddled flag and presented it to Governor Seymour. On May 22, 1863, receiving his honorable discharge, he returned home to Ogdensburgh, and in that town, Potsdam, and Watertown recruited a full company for the Fourteenth Heavy Artillery, with which he proceeded to Albany, but did not receive his commission as Captain on account of having taken a rather prominent part in the Valandingham Indignation meeting, to which Governor Seymour sent a friendly communication. Thus, not only was he officially shelved, but never received a dollar towards paying

his expenses in raising the aforesaid company of artillery. Returning to Ogdensburgh, September 19, 1864, he stayed there only a short time, and soon proceeded to Syracuse in search of employment as a clerk, armed with a laudatory letter from Mr. Preston King, recommending him as "a young gentleman in whose good character, integrity, and good qualities the writer, who had known him from boyhood, had the fullest confidence." This gentleman was a prominent citizen of Ogdensburgh, and had been for sixteen years the Representative from St. Lawrence County. Finding a position in Syracuse he there remained about six months, when he proceeded to St. Joseph, Missouri, and embarked in the lumber trade, organizing during the year he resided there the first fire company in the town, and becoming foreman of the Iroquois Hook and Ladder Company. Mr. Lyon now returned to Brooklyn, New York, and entered the brick and lime business, being associated with the firm of Reeve & Co., for a year, when, upon the dissolution of the partnership, our subject carried on the same business for a period of seven years. During the panic of 1872, Mr. Lyon was one of its victims, therefore, having lost all, he turned towards California to retrieve his fortunes. Sailing from New York, December 1, 1872, he arrived in San Francisco on January 2, 1873, and commenced an auction business under the style and firm of Chamberlain & Lyon, at No. 539 California Street. This partnership was dissolved at the end of a twelvemonth, and the style became Lyon & Fowler, the two gentlemen being associated until the removal of our subject to Oakland. In August, 1876, he then established the now well-known house of Lyon & Kinsey, at the corner of Washington and Ninth Streets, and at the end of three years leased their present extensive establishment at Nos. 912 and 916 Washington Street, Oakland, where they carry on a general auction business in all its branches. Mr. Lyon holds the several offices of First Vice-President of the Home Protection Association of California; Vice-President of the Home Protection Association of the city of Oakland; and President of the Board of Trustees of the First Baptist Church of Oakland; President of a mutual insurance society, known as the National Temperance Relief Union; Trustee in the Cosmopolitan Mutual Building and Loan Association; Director of Young Men's Christian Association; and ex-President of Oakland Reform Club; and, as a reformer, an incident occurred at the Republican State Convention (of which he was a delegate in the fall of 1882), which is told of him. Some two or three hundred delegates were smoking in the hall, when Mr. Lyon arose and addressing the Chair, said: "Mr. President -If I understand it aright, the Republican Party is a party of reform, and if we expect to accomplish anything in that line we must set the example; and as I look about me to-day I would take this to be a Democratic Convention did I not know to the contrary. Now, Mr. President, tobacco is a poisonous weed. It was the Devil that sowed the seed. It robs the pockets. It spoils the clothes. It makes a chimney of a man's nose. Therefore, Mr. President, I move that smoking be strictly prohibited during the balance of the session of this convention." Which motion was carried unanimously, amid great applause. He is also a member of Lyon Post, Grand Army of the Republic, and a member of the Patriotic Sons of America. Married in Fayetteville, Onondaga County, New York, October 12, 1864, Miss Mary E., only daughter of Julia A., Parker, a native of that State, by which union there are two sons, viz.: William P. and Edward C. A portrait of Mr. Lyon appears in this work.

WILLIAM HAYWARD MACK.—The youngest son of Elisha Mack, Jr., who at the time was engaged in the mercantile business in West Troy, New York. William H. was born August 23, 1812. When about two years old his parents moved to Albany, New York, where his mother died March 4, 1819. He was then sent to Plainfield, Massachusetts, to his mother's parents to be educated. When he was ten years old his father remarried, and the two sons returned to him at Albany. His father at this time was very extensively engaged in the wholesale produce and pork-packing business. William, when about sixteen years old, was offered a fine situation

by Wm. Gay, a wholesale and retail drygoods merchant; this offer was made with the understanding that he should be taken as a partner when he became familiar with the business; but the father objected to the business, a great disappointment to the son, who was of a very active business turn of mind. When he was just coming of age, he one day asked his father what time of day he was born; upon receiving the answer, "About two o'clock in the morning," he replied, "Then I will not sleep another night in your house." He soon got a situation on a steamboat plying between Albany and New York. When navigation closed for the season he got a situation in Stamoix Hall, where there was a large dining-room adjoining the ball-room. When there was a ball, he had the entire management of the dining-room, setting and decorating the tables sometimes for three hundred at a sitting. Upon the reopening of navigation, he resumed the steamboat business. He was married October 13, 1836, to Miss Anna Shonts, a farmer's daughter, born near Saratoga Springs, New York. February 11, 1838, he bought out his brother, who was a grocer. This business he conducted until the close of 1848. In 1845 and 1846 he draughted and superintended the erection of a block of buildings for Mrs. Dudley, who donated the Dudley Observatory to the city of Albany. During this time he made a mold for running cornice, of an entirely new plan, by the use of which over two-thirds of the material was saved, as used by the old style of mold. This new mold was in time adopted all over the United States. Had he taken out a patent on it, he would probably have made a large fortune. At the same time that he was engaged in this work, he had three large stores in different parts of the city, employing six clerks during the busy season, yet doing all the buying himself. When he concluded to come to California, he spent an entire year settling his large business. He sailed on the steamer *Ohio*, February 15, 1850, taking a steerage passage, as he said, to harden him for the expected rough experience of California. The passage was very severe, making the passengers extremely sick. Fortunately he had taken the wise precaution to put his system in good condition before embarking, so that he experienced little suffering. He therefore offered his services to the physician in taking care of the steerage passengers. His offer was gladly accepted, and he did good service, which was so well appreciated that the second day out he got a state-room, and took his meals at the captain's table. Being of a social disposition he soon won the good-will of the cabin passengers, and was treated by the officers as one of their number. At Havana he was invited to go ashore with them. At Chagres they engaged small boats to convey them to Gorgona, and pack-mules from there to Panama. Detained there a month they reached San Francisco April 29, 1850. He had shipped goods on the ship *Solon*, which ran afoul of a rock in the Magellan Straits, and much of her cargo was thrown overboard, and the remainder taken from the sinking vessel to a French bark and brought to San Francisco. He tried mining for two months, but was not successful. After this he engaged on a steamboat plying between San Francisco and Sacramento. This seemed his favorite and proper business. He received the income of the table and berths, making a profit the first four months of one thousand dollars per month. This run of good-fortune ceasing, he engaged in the same work at a salary. October 10, 1851, he took passage for Albany, to bring his family to California. Six out of seven of his children were dead, the surviving child, a daughter, was brought to California, May 27, 1852. He again followed steamboating for a time, and then bought the Rhode Island House, succeeding very well until the Corporation ordered a sewer to be run through the street, requiring the building to be raised fifteen feet, when he sold out January 3, 1857, he started with his family for a ranch near Mowry's Landing, Alameda County. He had bought this ranch of a squatter, but it was inside a large inclosure where wild cattle were pastured, and he soon grew tired of the place. He then opened a store at the Landing, and soon established a fine business. As it was very difficult to get out to the stage road and to church in the rainy season, he built a store and dwelling at Washington Corners, where he now resides (June 1, 1883). The

second year after the San José Branch Railroad was completed, he took the agency at Washington Corners, and also the Wells, Fargo & Co.'s Express, doing the work for two years with entire satisfaction, relinquishing it to enable his only son to become a machinist. March 17, 1873, he was appointed Postmaster, an office he yet holds, administering its duties with the most scrupulous fidelity. Of his thirteen sons and daughters only three survive at this writing, children who are a pleasure to their parents. His kind-hearted wife, a worthy partner, is still apparently in the best of health, her motherly face, a familiar feature in the village post-office. Mr. Mack in person is of medium height, slender, and still active as a boy. Age does not seem to dim his eye or make his step less elastic, and at the age of seventy-one his cheery voice and quick movements are the remark of his friends, and the best of arguments in favor of a busy life with temperate habits. He is a kind father and husband, and his house is a happy home. In all public affairs he is among the readiest to take up his share of the burden. On public holidays he is the first to fling the banner of his country to the breeze. He is a village social and business factor, thoroughly identified with all the local interests. Just and exact in his dealings; genial and kindly in his feelings; he is a good representative American, one of the thousands of whom our country may be proud, and to whom we may look in confidence that her institutions will be sustained. A portrait of this gentleman will be found in the following pages.

FREDERICK MALLEY.—Was born in Prussia March 23, 1842, where he resided until the spring of 1866, there learning the boot and shoe maker's trade, and following it in his native land until that time. He served in the Fifteenth Infantry for three years, and through the campaign of 1864 against Denmark, when he sailed from Bremerhaven for the United States. After passing a few weeks in the city of New York, he proceeded to Philadelphia, but shortly afterwards moved to New Jersey, and located at Egg Harbor City, Atlantic County. At the end of four months he changed his residence to Buffalo, New York, where he stayed twelve months, and then took up his abode in Boston until February, 1868. At that date he sailed for San Francisco *via* Panama, where he arrived April 1, 1868, and engaged in the shoe making business until the fall of the same year. In the month of October he located in Dublin, Alameda County, and engaged in his proper calling, continuing it until December 27, 1869, when he came to Livermore, and commenced a boot and shoemaking business in Laddsville. After the fire of October, 1871 he removed to Livermore proper, where he continued in the same business. In the fall of 1881 he built the three storied edifice known as Malley's Building, where he now carries on his business, which of late years has been very much enlarged—carrying a large stock of fancy goods and doing a prosperous trade. Mr. Malley married, August, 9, 1868, Miss Minnie Strecker, a native of Germany, and has four children: Matilda M., George W., Frederick A., and William. He is one of the oldest and best known business men in this section.

I. N. MARK, M. D.—The subject of this sketch was born in Ross County, Ohio, December 26, A. D. 1822, making him now just sixty years of age. He is so well preserved that he looks to be about fifty. He is remarkably hale and hearty, weighing usually two hundred and forty pounds, measuring six feet five inches in height, and well proportioned. When about ten years of age his family moved to Fayette County, Ohio, near the flourishing town of Washington. Here he grew to manhood. About the age of fifteen he showed a wonderful taste for books. He bought all of them he was able to, and borrowed all he could, and read all the spare time he had. He went from home and studied all the branches taught in the public schools at that period. He then returned home and commenced teaching. He showed so much tact in managing his schools and imparting instruction, that he was requested to open a select school in Washington, which he did, and taught for some time with great acceptability. It was while teaching this school he began to exhibit considerable talent as a public speaker. He was often called upon to address the people upon a variety of

subjects. He generally acquitted himself honorably. When he was about eighteen years of age he was persuaded to join the Annual Conference of the M. E. Church. He immediately entered upon the arduous duties of a clergyman, and was sent his first year to Wilmington, Clinton County, Ohio. Here he had a large congregation of very intelligent people to provide for. Being young, he had to apply himself by night and day, but having an excellent constitution, he stood it well, and the year closed honorably. He then traveled and preached five years more, filling excellent appointments, the last of which was at Athens, Ohio. Here he labored so hard and preached so much that he contracted a sore throat, which compelled him to retire from the regular work of the ministry. About that time he was married to the daughter of Judge D. McLain, of Washington, Fayette County, Ohio. The union was a happy one. That was in the year 1849. The Judge was a man of great wealth. Soon after this happy marriage the Doctor turned his whole attention to medicine. In the fall of 1850 he went to Columbus, Ohio, and connected himself with the Starling Medical College. Here he made such rapid advancement that he was urged by some of the faculty to remain in the school and become one of the professors; however, he thought best to decline. He came back to Washington, continuing to pursue his studies until September; he then moved to Stanton, Ohio, a beautiful town about four miles from Washington. In just two weeks from the day he commenced keeping house his beautiful young wife sickened, and in one week more she died. So sudden and unexpected was the shock that for a time the Doctor was almost paralyzed. She left a little daughter some five months old. What to do he scarcely knew. Stay there he would not. As soon as he had provided a home for his child he left the home of her birth, and never after returned, because, he said, he could not bear to see the place where he had enjoyed so much happiness, and also where he had suffered so much grief. It was a fearful struggle, but no doubt it was for the best, as his subsequent history will prove. In the spring of 1851 the Doctor settled in Houston, Ohio, and immediately entered on the practice of his profession. For ten years he worked hard, but during that period, say in the year 1853, he became acquainted with the youngest daughter of Judge W. W. Cecil, who resided on a farm near where he practiced. The friendship soon culminated in a matter of love; so December 15, 1853, the Doctor and Miss Annie Cecil were married, the next day after she was eighteen. The union was a happy one. Mrs. Mark is still living, beloved by every one who becomes acquainted with her. She still shows marks of her former beauty, although she is now forty-seven years of age, and has suffered for years with that incurable disease, asthma. In the spring of 1861, owing to that fearful malady, the Doctor and his family started across the plains for California. Leaving St. Joseph, Missouri, on the 8th of May, 1861, they landed at Ione City on the 24th of September, quite a trip with a sick wife. What is remarkable, Mrs. Mark had not an honr's sickness on the plains—asthma all gone, and for some years after that long, tedious trip she showed no signs of it. Shortly after his arrival in the State he made a trip to Sacramento, and while there found the Conference of the M. E. Church in session. He was prevailed upon to become a member of that body, which he did, and for three years went back to his old profession. He labored very acceptably in Campo Seco, Columbia, and Centreville, in this county. In all these places he made many warm friends. At the expiration of his term at Centreville he went back to the practice of his profession, and in the spring of 1865 he came to Pleasanton, where he has remained ever since. The Doctor has built a nice home, where he has ever been ready to wait on the public. There is one thing to be observed, that he is a close student, and keeps himself well posted in his profession. He has not accumulated wealth, for that is not his nature. His hand and heart are always open to help the poor and suffering; he turns no one away from his office that applies to him for medicine or medical advice. He has got hundreds of dollars on his books he never expects to collect. There is another thing to his credit, he is strictly temperate. He keeps him-

self away from bar-rooms; and when he returns from his professional calls he applies himself closely to his books, of which he has an excellent collection. As an evidence of the esteem of the neighborhood in which he has lived so long, he has filled the office of Justice of the Peace, when his present term has been completed, thirteen years. It is well known, however insignificant the office may appear, that it is rather a difficult position to fill. It is not certain that any other man in Alameda County has occupied that position as long as the Doctor. There are some peculiar traits about him different from those of the majority of our officials. He ever tries to discourage litigation. If people get into a lawsuit, he is not to blame. His advice is invariably to settle, to keep out of law. There is little doubt that he has saved Alameda County hundreds of dollars. The District Attorney (and who has a better chance to know?) says the Doctor has caused him less trouble and cost the county less money than any other Justice in it. All his decisions lean to the side of mercy. If any one deserves the name of Justice of the Peace, he certainly does. Now, this biography would hardly be complete if a few more items were not added. As a citizen, a parent, a husband, the Doctor has but few superiors. He is a man of strong convictions. You never hear him advocate any skeptical notions. He believes the religion of his fathers is good enough for him, and, until he is shown something better, he will adhere to that. He always, by theory and practice, encourages good morals. He thinks life is too short to fritter away on vain speculations and Utopian ideas. While at present and for years he has not been connected with any religious organization, he is friendly to all, and from his habits and every-day life, you would not know but what he was a strict church member. The value of such men in a community cannot be overestimated. They often silently mold the characters of others. It sometimes appears to the writer of this short sketch that Providence has something to do in determining the location of individuals. It would not do to place all the best men in one community. The Doctor has five children living—four in this State, and one daughter in Washington, Fayette County, Ohio: Helena Elizabeth, born April 7, 1850; Sallie W., married to J. A. Rose, residing at Pleasanton, and born April 29, 1857; W. C., born August 11, 1862, now living in Sacramento; Frank C., born November 14, 1864; Cecil, born November 14, 1867. The Doctor's children are all very much attached to their father. Only a few days ago his son Willie, now living in Sacramento, in a letter to him, wrote the following language contrasting his life with others: "When your time comes to go, a feeling of peace and contentment ought to rest with you, for you have lived an upright life and done your best for us all." This tender language discloses a kindly feeling between father and son. It is worthy of imitation. Children usually cannot bestow too much honor on their parents. There are many other incidents connected with the history of the Doctor that had to be left out for the want of space. His portrait appears in this work, and the Doctor supplied this sketch.

EARL MARSHALL (deceased).—The subject of this sketch, whose portrait appears in this work, was born in Burlington County, New Jersey, in the month of December, 1799. There he resided until the year 1836, when he moved to Pennsylvania, and engaged in teaming in Philadelphia for some time. He was afterwards a sexton in Monument Cemetery in that city. In 1846 he came to California around Cape Horn, on the ship *Brooklyn*, arriving on the 31st of July, and in the spring of 1847 he proceeded to Mission San José, and there, purchasing some milch cows, sold the lacteal fluid at twenty-five cents per quart. After the discovery of gold Mr. Marshall did a large trade in butter and milk with the mines, until the year 1850, when he settled on the present place and erected the house now occupied by his widow, where he died June 7, 1881. He married, September 11, 1828, Miss Letitia Dorsey, who was born in New Jersey, December 1, 1799, and had no issue.

PHINEAS F. MARSTON.—The subject of this sketch, whose portrait appears in this work, was born in Danville (now Auburn), Maine, February 10, 1813, and is the

son of Simon and Mary (Frost) Marston. During the first twenty years of his life, he resided under the family roof-tree, passing his winters learning the carpenter's trade, and his summers working on the farm. In 1833 he proceeded to Bangor, Maine, where he obtained employment as a journeyman carpenter, and remained until 1838, when, on account of a panic, he moved with his chest of tools to Brunswick, in the same State. Here he found work in putting together a house of worship to be erected at Waldborough, to which place he proceeded to aid in its construction. Returning, on its completion, to Brunswick, he completed the "shop-work" for another such structure to be put up at Rockland, on Penobscot Bay, after which he made Holton his headquarters, and there assisted in building the Hancock Barracks. Our subject next erected a flour-mill for Shepard Cary, whence, at the instigation of Captain Babbett, he was placed in charge of a gang of thirty men, to erect the Commissary Buildings and general Infantry Barracks. We next find erected a very elaborate dwelling for Mr. Winslow, High Sheriff, at Woodstock, after which he was employed on the erection of barracks at Fort Kent, on Fish River, near Madawaska. Having completed these various undertakings, Mr. Marston returned to Bangor, where he was variously engaged in his own professional sphere. Subsequently embarking in a grocery business, he thus was occupied for two years, when he was called upon to erect the new railroad buildings at Bangor, for the Penobscot and Kennebec Railroad Company, that being the first depot of any importance in the town. He also superintended the construction of the Unitarian church in that place. He continued in that class of employment until 1858, when he decided to try the Pacific Coast. Making the trip by way of the Isthmus of Panama, in the steamers *Star of the West* on the Atlantic and *Golden Gate* on the Pacific side, on arrival in San Francisco, with his wife and four children, he at once commenced erecting houses for himself in that city, in company with his brother, Sylvanus B. Marston. His old friend, Colonel Babbett, was at this time at the Presidio; he therefore at once placed our subject—knowing what manner of man he was—in the responsible position of superintendent of construction of the barracks which were then being erected at that post, at Black Point, and at Angel Island. This occupation lasted three years. On its expiration he was called upon by Colonel R. S. Williams, Light-house engineer, to assume the superintendence of buildings in connection with this department. The first of these to be constructed was in Washington Territory, on the sand-spit at Point Angelis. Mr. Marston was next engaged in such work on the coast and on Puget Sound; then he superintended the building of the light-house and fog-signals on Point Reyes, afterwards performing the like duties at Pigeon Point, at the same time building the dwelling-house and fog-signal station on Point Ano Nuevo Island. In 1874 he erected a dwelling and fog-signal at Point Montara. In 1867 he took up his residence at Fruit Vale, Brooklyn Township, Alameda County, where he embarked in fruit-culture, at which place he has since resided. Married, in 1840, Miss Susan E. Fisher, who died in 1864. By that union he has: Frank A., Cordelia, Harriet, and Phineas. Married secondly, in 1865, Mrs. Mary F. Pray, by whom there is no issue. We cannot close this brief narrative of a long and active life without testifying to the sterling worth of its subject. During his lengthy employment on government works he was no contractor, but merely received a monthly moiety as a reward for close application. His unflinching honesty has placed him at a green old age in the enjoyment of well-earned comfort.

JOHN MATHEWS (deceased).—The subject of this sketch, whose portrait appears in this work, was born in County Meath, Ireland, on the 27th June, 1817, where he resided until he was thirty years of age. In June, 1847, having married Miss Anna McEvoy, he came to the United States, settling in Boston, Massachusetts, and there remained for six years and a half. In 1854 he set sail for California, and in November of the same year, located on the place where his widow now resides, purchasing a "squatter's title," where he lived until his death, on August 21, 1882. Possessed of a

broad mind and excellent judgment, every movement he made added to his gains, until at the close of his life he had a very large competency, consisting of an estate of between seven and eight hundred acres of some of the finest land in Alameda County, besides property in the city of San Francisco. It can truly be said of Mr. Mathews that in life he was a man appreciated by his fellow-citizens for his integrity of character, while in death he is mourned as the kind husband and father. He left a family of five children, viz.: John, Mary, Sarah, Katie, and Peter.

PETER MATHEWS (deceased).—The subject of this sketch, whose portrait appears in this work, was born in County Meath, Ireland, in the year 1821. This county is known by the name of Royal Meath, it having been the seat of the kings of historic Tara. Here Mr. Mathews spent his youth, under the care and guidance of good, industrious parents, who shaped the conscience of the child in virtue and that pure simplicity of faith which characterized him in after life as a man. Scarcely had he attained the age of responsible boyhood, when he showed a tact and aptitude for business, especially that business so peculiar to County Meath. He thought at even an early age that he should go out and do for himself. He went into the cattle business, trading between Ireland and Great Britain, until he left Ireland for America, in 1849. He spent nine months in Salem, Massachusetts, and then, following the train of his business thoughts, moved West, coming to California direct, and then on to the mines in 1850, where the flush of business invited him. Four years he spent in the mines, moving hither and thither to grasp more surely the proverbial fortune of the gold regions of California. Not being as successful here as his quick mind suggested he ought to be, he came down from the mountain regions to the Sacramento Valley, and here he engaged in the more congenial occupation of stock-raising. This was more profitable by far, and he continued at this until 1856, when opportunity offered to again vary his pursuit in business life, and so he came to Alameda County, and engaged in farming in Oakland Township. For nearly twenty years he ran most successfully here, and made considerable wealth—so much so that in 1875, when he went into mining stock speculation, few men in Alameda County could count more tens of thousands of cash in gold, not to speak of his real estate. He was identified with some of Oakland's banks, and many business enterprises. In 1875 his investments in stocks yielded a great deal of money, until he was one of the most wealthy; but later years, and declining stocks reversed the tables a good deal, as was the case with, alas! too many others. At no time was Peter Mathews other than a rich man since his arrival in Oakland until his death. He was a worthy citizen, a good neighbor, and true to every social, civil, and religious principle. The subject of our sketch married in 1854, Miss Mary Dunnigan, whom he left a widow by his much mourned death, at his residence on San Pablo Avenue, on the 20th day of January, 1879. He left to his good wife all his property, consisting chiefly of the home farm of two hundred acres on San Pablo Avenue, in Oakland, as well as a farm in Santa Ynez, Santa Barbara County; several houses and lots in Oakland, many thousands of dollars in stocks, promissory notes, etc. Although he carried an immense load of mining stocks, still he raised mortgages to go heavier into them to retrieve his losses; and so when he died his widow found many entanglements, all of which, by close business habits, prudence, and economy, aided by the industry of her children, she has, it may be said, cleared, without losing ten thousand dollars worth of the original property bequeathed by her husband. Mr. Mathews left behind him a name for honesty, industry, and truth. Eight children survive their good father, their names being: Mary Alice, Charles E., Peter A., John L., Annie E., Joseph W., Teresa C., and Francis E. The favor in which the memory of the esteemed father is held by the community of his acquaintance bids God's speech to his children, and makes every one pleased to learn that the good widowed mother is linking the present with the original financial successes of her husband, in her beautiful home on San Pablo Avenue. The name of Peter Mathews has already an honored place on the historic records of Alameda County, and hence the

biographer and compiler of this history has no apology to offer, except to hope that the universal respect and esteem, mingled with the many regrets that overshadowed his bier, may be the lot of those he left behind him.

AUGUST MAY.—Was born in Hessen, Prussia, May 11, 1831, and there resided until he attained the age of eighteen years, at which time he moved to Bremen, and thence sailing to New York, he there embarked in the butcher business. In the spring of 1852 he took passage on the *North America* for California, and, coming by way of Cape Horn, arrived in San Francisco in the month of July of that year. He engaged in the butcher's trade there until October 24, 1854, when he came to Alvarado, Alameda County, and entering into partnership with A. Main, continued in the same business, until 1874. In the mean time he purchased his farm, and to it has added since until at present he owns about one thousand six hundred acres, located in the vicinity of Alvarado and Decoto. In 1876 Mr. May paid a visit to the Centennial Exposition at Philadelphia, and since his return to the Pacific Coast, has been living in Alvarado (his property being leased) on the fruits of a well-spent life. Married, September 27, 1862, Miss Sophia Platte, a native of Germany, and has four children, viz.: George, August, Jr., Bertha, and Henry.

GEORGE MAY.—Was born in County Derry, Ireland, in the year 1819, and at eighteen years of age emigrated from Belfast to the United States, but suffering shipwreck on the voyage was landed in New Brunswick, whence he sailed for Quebec, and remained there a few months. He then proceeded to Michigan, and after a short time went to Cincinnati, Ohio, where he resided until leaving for California. He left Cincinnati on December 19, 1848, and New Orleans January 16, 1849, in the bark *Florida*. He crossed the Isthmus, and taking passage in the brig *Belfast* on the Pacific side landed in San Francisco May 15, 1849, and two months thereafter went to the mines, but not being very prosperous there he abandoned that enterprise, and returning to the Bay City proceeded to the Moraga redwoods, where he worked for five months. He then for the next three years occupied his time between the mines and San Francisco, until he was joined by his family, when he embarked in farming operations in Castro Valley, now Alameda County, on the property now owned by the Atherton estate, and there remained ten years. In May, 1864, he purchased his present valuable farm, consisting of three hundred and sixteen acres in the Livermore Valley, about two miles east from the town, where he has since maintained his domicile, owning several other tracts of land besides. Married in Cincinnati, 1840, Miss T. C. Botton, a native of England, and has nine children, viz., Annie (now Mrs. G. F. Bangs), Mary (now Mrs. McNeil), Laura (now Mrs. I. Horton), Isabel May, Washington G., Emmie, Joseph, Lillie, and Ada.

HUGH BERNARD MCAVOY.—Was born in Cambria County, Pennsylvania, January 22, 1853, and is the son of Bernard and Isabell (Gallagher) McAvoy. He came to California with his parents in 1858 and resided in Alameda County until he attained the age of fourteen years, when he moved to San Francisco and attended St. Mary's College, from which he graduated in 1870. He then entered the undertaking establishment of Flannagan & Gallagher in that city, where he remained until April 11, 1875, when he opened his business at No. 873 Washington Street, Oakland.

FREDERICK P. MCFEELY.—Was born in Toronto, Ontario, Canada, March 22, 1840, and is the son of Edward and Susan (McCloskey) McFeely. At the age of eleven years he accompanied his parents to Erie County, New York, and at the proper age commenced serving his time as a machinist in the city of Buffalo, where he was employed for several years in Shepherd's Marine Engine Works. Subsequently he proceeded to Middletown, Orange County, where he connected himself with the manufacture of horse-shoe nails. In 1874 he removed to Cortland County, along with the works which had had been transferred to that place, and there resided until coming to California. Mr. McFeely is now located in business in San Quentin. Married, November 15, 1860, Miss Eliza O'Brien, and has six surviving children.

ANDREW J. MCGOVERN.—Was born in Albany, New York, October 27, 1852, and there resided until the year 1868. He then sailed from New York to San Francisco, where he arrived December 16, 1868, and first found employment as office-boy in the Second Street House. A short time after, however, he entered the service of G. W. Clark & Co., in the wall-paper business, and there continued for seven years. He then came to Oakland and commenced his present establishment at No. 1157 Broadway, under the style of Van Amburgh & McGovern. At the end of ten months, however, he purchased the interest of his partner, and a few months later associated himself with James Cahill, and in December, 1881, opened his extensive premises, No. 1060 Broadway, under the firm name of McGovern & Cahill, dealers in carpets, paper-hangings, window-shades, etc. Married, in 1879, Miss Mary Carey, and has two children, viz.: Francis Andrew and Genevieve.

PETER MCKEANY.—The subject of this sketch, and a well-known business man of Livermore is a native of Ireland, where he resided until about seventeen years of age. He then concluded to seek his fortune in the land of the free, and consequently came to America, spending the first five years of his residence in the United States in Boston. He then concluded to come to California. Coming *via* Aspinwall and Panama, he arrived in San Francisco April 14, 1859. Staying but a short time in the metropolis, he went to San José, Santa Clara County, where he found employment in a hotel until in 1862, when he returned to Europe, and after a residence of four years abroad he again returned to America and to the Golden State, this time locating at San José Mission, and embarking in farming until 1871, when he moved to the then young town of Livermore and opened a meat market in the building now occupied by Church & Scott's drug-store. Three years later he purchased his present property on Union Street, opposite the Livermore Hotel, where he is engaged in the general butcher and stock business. Mr. McKeany is married and has three children, Maggie, Grace, and Kittie.

ANDREW J. MCLEOD.—Was born in Gallia County, Ohio, January 5, 1837, where he was educated, and resided until he attained the age of seventeen years, he, however, having had the misfortune to lose both his parents when very young. At the above epoch he started with his uncle L. P. Gates, for the Pacific Slope. May 2, 1854, they crossed the Missouri River, and commenced the arduous undertaking of crossing the plains with ox-teams. After many difficulties they arrived at Mission San José in the month of October of that year. Our subject now engaged in farming near where the town of Centreville stands, where he remained three years, until compelled to take a year's relaxation on account of ill health. Mr. McLeod next went into business in Centreville for six months, when he became proprietor of the American Exchange Hotel there, and conducted it until 1866, at which time he sold out, moved to Washington Corners and built the Union Hotel, now kept by Mr. Brown, in that place. Six months afterwards, disposing of this hostelry, he returned to Centreville and embarked in the livery business, which he sold at the end of one year. A twelve-month later Mr. McLeod moved to Livermore, pre-empted a portion of the land on which the town now stands, known as the McLeod Addition, and there in the fall of 1869, engaged in a general mercantile business with Henry Meyers, under the firm name of Meyers & McLeod, in the structure known as the Bank Exchange Building, recently burned down, this being the first store started within the corporate limits of the town of Livermore, but outside of Laddsville. At the end of two years Mr. Meyers sold his interest to Mr. Anspacher, the firm now becoming Anspacher & McLeod, and two years after the interest of the first named was purchased by our subject, who then took into the business George C. Stanley, who in turn closed out in 1877. Mr. McLeod was appointed postmaster of the town of Livermore, in 1869, and held the office until January, 1882, while he has also been Assessor of Murray Township, to which position he was elected in 1879, 1880, and 1882, and holds that office at the present time. Married, in Centreville, November, 1859, Miss Delia Foley, a native of Ireland, and has: Norman, Mamie, Colin, Annie, and Leah.

PHILIP H. MCVICAR.—Was born in Nova Scotia, July 7, 1857, and there resided until the year 1875, when he came to California. In March, 1882, he purchased from P. C. Heslep, the blacksmith shop and woodwork department, located on Railroad Avenue, Livermore, where he carries on a large business in every branch of his trade. Is married and has one child.

WILLIAM MEEK (deceased).—This gentleman, whose portrait appears in this work, was the model farmer of Alameda County. His residence was at San Lorenzo, and his ranch extended towards Haywards more than three miles. He left Van Buren County, Iowa, on the first day of April, 1847, and crossed overland to Oregon City, where he arrived on the 9th day of September, the same year, with a large party of immigrants. Among Mr. Meek's effects was a wagon loaded with fruit-trees and seeds. This constituted the first lot of grafted fruit-trees on the Pacific Coast. There were seedlings already in the country, introduced by the Hudson's Bay Company. Locating at the town of Milwaukee, on the Willamette River, five miles from Portland, he went into the nursery business in June 1848, with H. Lewelling, whom he had known in Iowa. In the fall of 1848, he went to the California gold-mines with an ox-team, and remained till the following May. The party he came to California with, made the first wagon track from Oregon to California, passing through the Modoc country, and skirting its lava-beds. On his return to Oregon he continued fruit-growing and lumbering till December, 1859. That year he sold out in Oregon, and removed to San Lorenzo, in Alameda County. His first purchase of land was four hundred acres of H. W. Crabb. This land originally belonged to the Soto grant. He subsequently bought one thousand six hundred acres more, which made two thousand acres. At first he devoted his attention to grain-growing and general farming. He managed his land with skill, and followed a system of rotation of crops. No man ever bestowed more care and attention on his land, or experimented more successfully. He built a water-reservoir in the foot-hills, about three and a half miles from his home, the water is conducted in pipes through his lands for irrigation, and general purposes. Mr. Meek was elected County Supervisor for four terms, commencing in 1862. He was a native of Ohio, and had reached his sixty-fifth year at the time of his death. He left a wife and five children, one of whom is married.

MARTIN MENDENHALL.—Was born in Greene County, Ohio, in the year 1828, and there dwelt with his parents until they moved to Cass County, Michigan, in 1834. Here he resided and worked on his father's farm until March 5, 1849, when he started for California with ox-teams by way of the plains, arriving in Sacramento on the 9th September of the same year. Here meeting his brother William M. Mendenhall, they moved together to the Santa Clara Valley, where they stayed until March, 1850. Our subject now started for the mines at Chinese Camp, near Sonora, Tuolumne County, and after laboring there four months left in disgust to rejoin his brother in Santa Clara. At this period Mr. Mendenhall went into raising and trading cattle. In the fall of 1852, he returned to Michigan, but the following March saw him once more on the way across the plains to the land of gold, accompanied by his newly made bride. They arrived in Santa Clara about the middle of September, 1853, and our subject resumed his former occupation of stock-raising. In 1854 Mr. Mendenhall moved to San Ramon Valley, Contra Costa County, where he engaged in agricultural and pastoral pursuits for eleven years, at the end of which protracted term he sold out and came to his present place in Livermore Valley, where he rears excellent horses and cattle, and raises good crops. In February, 1853, he married Miss Malvina Dolora Knapp, by whom he has had a family of five children, only three of whom survive, viz.: Clara, Julia, and Dora.

WILLIAM M. MENDENHALL.—This veritable pioneer of California, whose portrait appropriately finds a place in the "History of Alameda County," was born in Greene County, Ohio, April 22, 1823, and is the son of William and Sarah (Peterson) Mendenhall. His forefathers were English, and came to this country with the famous

William Penn, to whom was granted what are now the States of Pennsylvania and Delaware, in the year 1681; the ancestry of his mother was German. The father of our subject was born in the year 1794, in Tennessee, and died December 19, 1870, while his mother, who is now eighty-four years old, is with her son, Martin Mendenhall, near Livermore, having passed, by fourteen years, man's allotted span of three-score years and ten. The spot where William M. Mendenhall first saw the light was within five miles of the little town of Zeno, and there he passed the first seven years of his existence, being surrounded by all of nature's most natural charms, and even at that tender age, brought up to feel upon self-reliance as the foremost instinct. In October, 1831, his family moved to the Territory of Michigan, then a wilderness composed of dense forests and virgin prairies. Here the frontiersman's handicraft was needed; the ground had to be cleared for the receipt of crops, and thus did he become, under the eye of his parent, a practical tiller of the soil. Here he received what education the country then afforded, and resided until he attained the age of twenty-one years, dividing his time between an agricultural life and the less monotonous one of hunting in the primeval wilds which hemmed him in on every side. But the cry of Westward Ho! kept ever ringing in his ears; to that cardinal point tended his inclination. To him the untracked wilderness was a home; therefore, when it became known that a company was being formed with the Pacific Coast as its destination, Mr. Mendenhall made up his mind to face the vicissitudes of the journey to the *ultima thule* of the American continent; consequently on July 3, 1845, leaving St. Joseph, he crossed Lake Michigan to the little town of Chicago, thence by stage and river to St. Louis, Missouri, and onward by steamboat up the Missouri River to Independence, ten miles west of where, on the bank of Hickory Creek, he pitched his tent, there being with him L. Hastings, N. B. Smith, H. C. Smith, H. Stebbins, H. Downing, and a Mr. Locher, who had joined him at St. Louis. Remaining here in camp, they essayed to augment the strength of their company with recruits, but these they found difficult to persuade; some of the people had never heard of California—indeed, many doubted the existence of such a place—and were sceptical as to if Mr. Mendenhall and his party knew of that which they spake. On August 17, 1845, the party, consisting of thirteen men all told, broke camp, and at noon had their faces turned towards the Golden West. On the completion of the first hundred miles of the journey, they were stayed by the swollen waters of the Caw River, and how to cross it became the question. But three alternatives were left them—to swim, to wait, or to return; eleven chose the first, and two took the "back track." This stumbling-block overcome, the journey was continued to the South Platte, where one of the number joined a party of hunters from Fort Laramie, leaving ten of them to pursue their journey of two thousand miles, through an untracked main, and peopled with roaming bands of hostile Indians. When about two hundred miles west from the Kaw River, cautiously traveling and keeping a sharp lookout the while, an object was observed to their left, between them and the horizon. The question was, what could it be? Some said, the stump of a tree, others ejaculated the dread word, Indians! When proceeding to ascertain what it actually was, it announced mortality by making signals, and as they halted the figure approached, and proved to be a white man of some five and twenty years of age. He was almost in a state of nature. What had once been a shirt, hung about his body in shreds, while his nether garments were worn to ribbons that hung suspended from his waist, his legs and feet being innocent of protection or cover. Slung from his shoulders was a powder-horn; in his waist-band he carried a knife, while in his hands he bore some frogs. He was too weak and faint from want of food to talk, therefore he was fed. Such was his joy at meeting with members of his own race that it was some time ere he told his tale. It was thus: During the spring of 1845 he had started from civilization with some emigrants bound to Oregon, but when they had got as far as Fort Laramie, he with two others, became discouraged, and turning back homewards, on the third night

were attacked by Indians and his companions murdered, while the redskins stole their horses and their guns. How he had escaped was a marvel. He lay concealed in a thicket until the hostiles had taken their departure, and thereafter wandered about, subsisting on frogs that he had caught. At last, after nine days, he found himself face to face with his own countrymen. His tale being told, every inducement was offered him to proceed to California, but to no avail; his dejection was complete; he said there was not money enough in the whole United States to induce him to turn westward again. He was furnished with provisions, and left to continue his "wandering woe." He bore the traces of having been a fine-looking man, and was a native of the State of Illinois. His name he gave, as also his father's address, and Mr. Mendenhall, after his arrival in California, informed the latter by letter of the plight in which he had found his son, but never afterwards heard either of the father or the wanderer. Our voyagers now continued on their way, but they had not gone far when all but two of them were attacked with fever and ague, but nothing discouraged, they pushed on, traveling by day and keeping guard by night, until they arrived at Fort Laramie, where they had a ten days' rest, and were able to get some other provender than the buffalo-meat and other game on which they had been forced to subsist for some time. Leaving Fort Laramie, they proceeded onwards, and at Fort Hall laid in some groceries at fifty cents per pound—rice, sugar, coffee, etc., all at that one price. After a few days here, our heroes were once more on the route, and taking the old Truckee road to the Humboldt, followed that stream to its sink, where their provisions, which were intended to last them into California, perceptibly diminishing, the party were placed upon rations. Here, too, one of the horses was stolen by Indians, when our subject and Hastings started in pursuit, and about four miles from camp came upon a party of Indians, twenty in number, who this solitary couple compelled to surrender their property. In the interval of their absence, however, the main body had gone forward, leaving Mendenhall and his comrade to camp on the plain, dig a hole wherein to light a fire, and set it ablaze by discharging their rifles into the pile. The next day they started betimes to overtake their companions, and on coming up to their camp about three miles from the Truckee River, found neither man nor beast in sight. The fact was that the animals had scented the sweet waters of the Truckee at three miles distance and had stampeded thither to slake their parched throats. To both man and beast this clear cold stream gave new life and nerved them all for further trials. Like the "chosen people of God" on Jordan's banks, our party remained for some days on the margin of the Truckee and pondered upon the Israel they had left behind them. Here they enjoyed themselves hunting, fishing, and otherwise, and in one of these excursions Messrs. Mendenhall and Hastings discovered the Sink of the Truckee. At the expiration of three or four days, and at the time of breaking camp, they were visited by a party of Indians, who offered their services as guides through the defiles of the Sierra Nevada, but fearing treachery these were made to accompany them for half a day, when they were turned loose. Fortunate was it for them that this precaution was taken, for the hills were full of redskins who were only waiting a signal to put them to death. The journey from the head-waters of the Truckee, was one of extreme hardship and danger, snow being so deep only from five to fifteen miles per day could be accomplished. At the sheet of water now known as Donner Lake, they found they had but four pints of flour remaining, and the country destitute of game. Pressing necessity was their companion, therefore, upon consultation, it was determined that H. C. and N. B. Smith, Hastings, Locher, Downing and Semple should go on a hunting and foraging expedition, leaving Mendenhall to take charge of the pack and the two sick men, Nash and Crosby. With his charge our subject journeyed on, and on the first night camped on the summit of the Sierras, and proceeding, came upon the head-waters of the Yuba and camped on the identical ground occupied the year previous by the late Martin Murphy and his party. This stream they followed for

six days, during which they suffered keenly from want of food, indeed during the last four days neither bite nor sup had passed their lips. Mendenhall now went ahead and at the head-waters of Bear River, from an old oak-tree gathered some acorns whereof he and his party partook, and thus allayed the pangs of hunger. They now got out of the region of snow and into the grassy slopes of the California foot-hills. On the fifth night out succor came, for they were met by N. B. Smith and Downing with provisions. The next night found them at Johnson's Ranch, where they purchased the quarter of a beef, cooked and demolished the whole of it. The following day found them at Nicholson's, on the Feather River, where that individual kept a sort of house of entertainment, but who inhospitably refused them anything to eat; however, meeting Samuel Neil, from Sutter's Fort, they were advised by him to shoot a fat cow or take possession of the premises, the latter of which they did, when the proprietor supplied them copiously, if grudgingly, with jerked beef. Thence they proceeded to Sinclair's Ranch, some three miles from Sutter's Fort, at which place they arrived on Christmas-eve of the year 1845, where they sat down to the first "square meal" that they had had since leaving Missouri. Here they met a Mr. St. Clair, who had a dwelling about fifty yards from Sinclair's house. After some trouble with the Indians the party arrived at Sutter's Fort, and found employment at various places until March, 1846. At this time Mendenhall and the two Smiths proceeded to Yerba Buena (San Francisco) in Sutter's launch, where they had some difficulty in getting a passport, but through the agency of the British Consul, they crossed the bay to where the city of Oakland now stands, and from thence started on foot for the San Antonio redwoods, but meeting two Spaniards their passports were demanded, which not being able to produce they were frightened away with the fire-arms of the party. They ultimately got to the redwoods, however, and there engaged with a Frenchman for some time in making shingles and sawing lumber, but this not meeting with the views of the irate Dons, twenty soldiers were brought into the redwoods to oust them. Mendenhall and his party, however, believing discretion to be the better part of valor, secured what horses they could, with their effects, and beat a hasty retreat over the mountains into the valley of the San Joaquin. They now found that stream swollen, but their effects had to be transported to the opposite bank, a hazardous undertaking, that was carried out by our subject and N. B. Smith, who swam the river each six times. That night they camped on what is now known as French Camp, near Stockton, and the following morning pushed on to the security of Sutter's Fort. At this period what is known as the "Bear Flag War" broke out, and with that small band Mr. Mendenhall marched to Sonoma, and took part in the stirring events described in our chapter on that subject. Then came the declaration of war between the United States and Mexico, and the recruiting of Fremont's famous California Battalion, with which our subject served, he being of Captain Ford's company. With it he proceeded in their pursuit of General Castro as far as the Colorado desert, and upon returning to San Diego there learned of a threatened rising of Indians in the vicinity of Sutter's Fort. Ford's company was thereupon embarked on the United States ship *Congress*, Commodore Stockton, to quell the contemplated outbreak. They were landed at Monterey, whence they marched to Sutter's Fort, and found the Indians far from bellicose. They nearly all were *hors du combat* from sickness. Mr. Mendenhall's first visit to the Livermore Valley was on this march, when the troops camped on the ground where now stands the residence of Robert Livermore. At Sutter's the company remained a few days, then took up the line of march, and finally camped on Cosumnes River to await the arrival of General Fremont. While here, our subject applied for and obtained leave of absence to proceed to Johnson's Ranch to meet William Duncan, a friend of his, with whom he returned to Sutter's Fort. He now concluded, with some immigrants, to locate at Stockton and commence farming, for which purpose he proceeded to Sutter's to obtain grain, but changing his mind he went to Yerba Buena and there opened a bakery in partnership with Duncan,

but two or three months thereafter he became sick and was confined to the house for upwards of a month. At this time the Spaniards were becoming restless and threatened a general uprising, therefore for safety all the foreigners betook themselves to the ships lying at anchor in the harbor. Mr. Mendenhall, however, was too ill to be moved, and with nought save his trusty rifle and revolver to protect him, was left alone to await the general massacre. The alarm, however, proved a false one, and upon quiet being restored Mr. Mendenhall started for the Pueblo de San José by way of Alviso, and thence to Santa Clara, where he was appointed Commissary to the forces then assembled there to repel any attack from Sanchez and his predatory band who were raiding that section of the country. There he served in that capacity until April, 1847, on the 18th day of which he espoused Miss Mary, a daughter of David Allen, Alcalde Burton performing the ceremony, it being the first marriage of Americans that ever took place in the three counties of Santa Clara, Contra Costa, and Alameda. Mrs. Mendenhall is also a pioneer of pioneers. She came across the plains to California in the company of Hon. Elam Brown of Contra Costa County, with her father, who was left sick at Fort Bridger, but in the spring went on to Oregon; at the Sink of the Humboldt she lost her mother, and being the eldest of the daughters took charge of the children and brought them safely to the Pacific Coast. Upon his marriage our subject removed to San José and there resided with his father-in-law for three months on the Ynigo Ranch. In June, 1848, he went to the mines on American River near Sutter's Mill, but at the end of three months transferred the scene of his operations to the mines of Tuolumne County, where he commenced trading with the Indians, bartering clothes for gold-dust. He then returned to Santa Clara, and disposing of his property went to Oregon from San Francisco in the brig *Anita*. After a very rough passage of forty days he arrived in Astoria, where they were confined to a store-house on account of measles having broken out among the children on board ship. At the end of three weeks he proceeded to Portland, consuming four days in the trip, and then went to the residence of his father-in-law, about twenty miles from that now rising city. In the following spring Mr. Mendenhall raised a company and with thirty wagons made the journey to California, arriving at Sacramento, which had then become a bustling camp, in July, 1849. Settling in the town of Suttersville, a place he had helped to survey, he there remained, engaged in teaming, until October, when he returned to San José, but being unable to find a house there, he came to the Pulgas redwoods to procure lumber and shingles. With these he built a house in the redwoods. In the spring of 1850 he moved to the Santa Clara Valley and located a piece of land not far from the Mission, where he embarked in stock-raising, adding to his stock, one hundred and four head of wild horses by capturing them on the San Joaquin plains in July 1851. Selling out in February, 1853, he moved to Sycamore Valley, Contra Costa County, on the place now owned by Hon. Charles Wood, and there stayed seven years, dealing largely in stock, at one time driving no fewer than one hundred head of horses into Oregon. In 1862 he disposed of his interests in Contra Costa County, and moved his stock to the Livermore Mountains, twelve miles south of where the town of that name is now situated, where he fenced in some fifteen or twenty thousand acres of land, and followed stock-raising there till 1864, when a dry season occurring he lost about forty thousand dollars' worth of cattle and horses. In the fall of 1865 he took up his residence in the San Ramon Valley, in the like occupation, but, at the end of three years, purchasing the interest of Thomas Hart in the Bernal Rancho, and that same fall six hundred and fifty acres of the Santa Rita grant, from J. West Martin, he took up his abode on the latter and assisted in building the first school house in Livermore Valley. At the end of a twelvemonth he bought a house and lot in Santa Clara County, whither he removed his family on account of the advantages offered for tuition there, where he remained ten years. In 1866 he acquired his present valuable farm of six hundred

and eight acres, on which a larger portion of the town of Livermore is situated. In 1869 he had the town surveyed and platted, and through his efforts has sprung up one of the most prosperous interior towns of California. Soon after he donated to the Livermore College the land on which that institution stands, while he also gave an entire block for public school purposes. Besides many other gifts of a similar nature he gave thirty-two acres in order to secure the railroad depot to Livermore. During the winter of 1876 he erected the elegant mansion in which he now resides. Mr. Mendenhall still leads an active life. He is especially interested in the breeding of Angora goats, having as many as twelve hundred of them on his range, while he attends to his agricultural and pastoral interests with much attention, but by no means makes a toil of a pleasure. It is men such as he that have made the United States what it is. He has a family of nine surviving children, viz.: James M., Lizzie (now Mrs. C. H. Lindley of Stockton), Emma (now Mrs. Black of San Francisco), Ella, D. Archer, William, Oswald, Ascey, and Etta. Of the original ten that crossed the plains with Mr. Mendenhall from Missouri, only two now survive, namely our subject and N. B. Smith of Contra Costa County. Stebbins was killed in Los Angeles; Nash died in the mines in 1848; Dr. Semple died in Benicia; L. Hastings died in the Brazils; H. C. Smith died in Livermore; while Crosby, Locher, and Downing returned to the Eastern States.

GEORGE S. MEYER.—The subject of this sketch, whose portrait will be found in this work, is the son of Samuel and Katharine (Newkom) Meyer, and was born in Saxony, Germany, January 21, 1812. Having received a common-school education and learned the butcher's trade in his native country, in the year 1843 he emigrated to the United States, and commenced working at his calling in Baltimore. In 1846 he joined Stevenson's Regiment and with it came to California, landing in San Francisco March 22, 1847, and remaining in the corps until it was disbanded in Monterey, in October, 1848. Mr. Meyer now went to the mines at Angel's Creek, where he engaged in the search for gold until December, 1849, after which he proceeded to San Francisco, whence he sailed on January 1, 1850, for New York, taking his gold-dust on arrival, to the mint at Philadelphia to have it coined, the out-turn being four thousand dollars. March 20, 1850, he espoused Miss Sophia Proeger, when he returned to California and opened the Philadelphia House, on Pine Street, San Francisco, which he conducted until June, 1853. At this date he settled at Mount Eden, Alameda County, where he bought a squatter's claim of one hundred and sixty acres on which he resided until October, 1881, when he made his home in the city of Oakland, where he is now enjoying the fruits of a well-spent life, honored and respected as an upright, honest citizen. His family consists of two sons and two daughters, viz.: George A., Henry H., Matilda (now Mrs. Martin), and Amelia.

THOMAS WALE MILLARD.—The subject of this sketch, whose portrait will be found in these pages, was born in Somersetshire, England, October 24, 1820, and there resided until he attained the age of twenty years, having served four years in the National Provincial Bank of England. In the year 1840, accompanied by his parents, one brother, and five sisters, Mr. Millard crossed the Atlantic to the United States, and thence proceeded to Canada, where his father and mother still dwell. At the end of two years, having visited England on business for his father, our subject accepted a situation as book-keeper in New York, where he continued until 1852. In the fall of that year he started for California *via* the Nicaragua route, and arrived in San Francisco during the month of November. Proceeding at once to the vicinity of where we now have the village of Centreville, in the spring of 1853 our subject and his brother planted two hundred acres of land with potatoes, the property being that of Elias L. Beard, from which they received a large yield, and where they resided three years. In the fall of 1855 Mr. Millard purchased the farm he now occupies, then comprising one thousand acres, and embarked in general farming. In 1856 he planted a vineyard, and has now fifty acres under bearing-grapes, being also

engaged in general farming. Mr. Millard was appointed by Governor Haight a Notary Public, which position he still occupies. He married in Alameda County, October 4, 1857, Miss Caroline David, a native of Philadelphia, and has five children, viz.: Thomas, Lewis, Augustus, Albert E., and Julia V.

ALBERT MILLER.—Was born in Germany in the year 1828, and resided there until 1848, where he engaged in mercantile pursuits. In that year he came to the United States, and after sojourning at the East, came by way of Panama to California in 1851. He engaged in business in San Francisco until 1864, when he retired. Mr. Miller has since been president and director of several financial and other corporations, and is now the President of the San Francisco Savings Union. He took up his residence in Oakland in 1877. He is married, and has a family.

CAPTAIN ANTHONY MILTON.—The subject of this sketch, whose portrait appears in this work, was born in the Azores, Portugal, March 29, 1823, but at eleven years of age came to the United States, and settled at New Bedford. In that prosperous and busy seaport he grew up, with the ships of many nations around him, and following the example of hundreds of his fellow-townsmen, adopted a life on the ocean wave as a profession, and followed it in all parts of the world, until he found himself in California in the year 1865, when he purchased his present property in Alameda County, and took up his residence there. Here the worthy Captain has time to cogitate upon the mutability of things mundane, and have pass before him in vivid procession the personal recollections of stirring scenes full of adventure, and enjoy the fruits of a well-spent life. Married in September, 1867, Miss Alicia Healey, a native of Ireland, and has two children living, viz.: Manella, and Joseph P.

JOHN L. MITCHEL.—The subject of our memoir, of whom an excellent portrait appears in this history, is a native of the Golden State, born in Sacramento, April 17, 1851, and is now in his thirty-third year, and, although still young, is one of the most energetic and leading spirits in the business circles in the beautiful little town which he has selected for his future home, Livermore. Remaining in his native city and attending the common schools until fourteen years of age, our subject then undertook the task of doing for himself, being employed in a telegraph office at Sacramento, from thence transferred to San Mateo, and from thence found employment in the telegraph office of Visalia, Tulare County. After a few months' sojourn in that place, he was transferred to Woodland, Yolo County, opening the first telegraph office there; when, after a short residence, and in the employ of the Western Union Telegraph Company, he returned to Sacramento. In 1867 we find Mr. Mitchel in the telegraph office at Stockton, San Joaquin County, but subsequently transferred to the engineer corps at that time building the Western Pacific Railroad, and in that capacity he helped to construct the Livermore tunnel, on the completion of which he was attached to the construction party as telegraph operator. On the finishing of the line of the Western Pacific Railroad our subject was placed in charge of the station at Midway, where he served for one year; but the business of that hamlet being of too small importance for a man of Mr. Mitchel's ability, he was promoted in September, 1870, to the agency at the flourishing town of Livermore, which is at present one of the most important stations on the line between San Francisco and Sacramento. Here, in the capacity of station-agent and Wells, Fargo & Co.'s agent, the gentleman whose name appears above has labored for the past twelve years, with the utmost satisfaction to his employers and the public alike. Mr. Mitchel is truly a self-made man; through his own exertions he has placed himself in the front rank among the business men of the community in which he lives, having thrice been elected a town trustee, and his counsel is always sought on any scheme for the welfare and advancement of the business interests of Livermore, while he is a prime mover in public improvements and charitable matters. He is also the representative of the Home Mutual and several other prominent insurance companies for Murray Township, and a leading member and officer in the Masonic, Odd Fellows, and other fraterni-

ties. In August, 1872, Mr. Mitchel was united in marriage, in San Francisco, to a most estimable young lady, Miss Cora B. Belleau, a native of that city, by which union they have three children, viz.: Maude, Tottie, and Mabel.

JAMES MOFFITT.—Was born of Scotch-Irish parentage, in the city of New York, March 17, 1831, where he received his early education and resided until his fifteenth year. At that early period of his career he shipped on board the frigate *Savannah*, under Commodore Sloat, Captain Mervin commanding, and sailed for California in 1846, arriving in Monterey in the same year. He remained on board the *Savannah* until 1849, when he was honorably discharged at San Francisco, after which he betook himself to his profession of engineer on the waters of the coast until 1859, when he established his residence in San Francisco, continuing in the same occupation until his settlement in Brooklyn Township, Alameda County, where he still resides. Feeling that his services might be useful to the country in the then emergency of war, Mr. Moffitt joined the State Militia in 1862, and served with it until peace was declared, but only in this State, the services of his corps not having been called for beyond its boundaries. He was also a member of the Union League and Minute Men, and was honorably discharged by Governor Low. Mr. Moffitt has been identified with the Fire Department from his youth up to the present time. In 1841, when only ten years old, he joined the old Volunteer Fire Department in New York, as torch-boy, so continuing until 1845. In the meantime he found employment in the Novelty Machine Works, at the dry dock, foot of Tenth Street, on East River, where he acquired the profession of engineer, and was subsequently employed in the old *Knickerbocker*, *Vanderbilt*, and *Bay State*, until his departure on the frigate *Savannah* for California. As early as 1851 he joined the Volunteer Fire Department in San Francisco, and served in Companies Two, Eight, and Ten, during his residence there. He was also one of the founders of the Volunteer Fire Department in Oakland and Brooklyn, and continued an active and efficient member until the organization of the present paid department in 1878, since which time he has been conspicuously identified with the new organization, and has been several times elected to the chief offices of the department. He is now the oldest active member of the Brigade living in Alameda County, and is serving in the capacity of ——— the East Oakland Department. In 1859, while residing in San Francisco, Mr. Moffitt was married to Miss Margaret Mulgrew, and is now blessed with the following-named sons and daughters: Frank J., now a Deputy Sheriff of Alameda County, and a popular journalist; Mary, Maggie, Martha, Elizabeth (deceased), Joseph, Emma, George, Harry, and Nellie. All these, like their parents, are fine examples of physical perfection, and vigorous young men, women, and children, and constitute as happy and pleasant a family as can be found in the whole land. Mr. Moffitt resides on Fourteenth Street, near Thirteenth Avenue, in East Oakland, surrounded by a loving family, in the enjoyment of the good-will and respect of a community in which he is a liberal and public-spirited citizen. After forty years of active and well-spent life, he still seems to be in the prime of manhood, and like Longfellow's "Village Blacksmith," "a mighty man is he, with large and sinewy hands, and the muscles of his brawny arms are strong as iron bands."

CHARLES J. MONGELAS.—Was born in the department of Savoy, France, November 21, 1824, and there resided until he attained the age of twenty-one years, when he went to Paris. He was for two years a school-teacher. He was engaged as book-keeper in a hardware store for two years, and afterwards obtained a like position in the Orleans Railroad Company, and there remained until June, 1852. At this time he sailed in the ship *Magellan*, via Cape Horn, to San Francisco, where he arrived January 9, 1853. A few months thereafter he proceeded to Negro Hill Mine, near Folsom, and followed mining there, in El Dorado, on the American River, in Yuba, Nevada, and Placer Counties, in the latter of which he conducted the Washington Hotel, at Willsontown copper mine, and also engaged in farming, grape-

raising, and silk-culture. In October, 1865, he enlisted, at Marysville, in Company B, Seventh California Volunteer Infantry, Captain A. Gibson commanding, in which he served eighteen months, one year of which time he was in the garrison of Tucson, Arizona, being discharged on his return at the Presidio, San Francisco, April 26, 1866. After farming and mining until the fall of 1877, he came to Oakland, and was five years book-keeper in the store of Mr. Bocquerez, after which he engaged in the wine and liquor business in the Valdez Block, on the corner of Sixth Street and Broadway. Mr. Mongelas is a member of Lynn Post of the Grand Army of the Republic, and in 1881 presented that fraternity with a handsome banner. He belongs to the Order of Chosen Friends, Lincoln Lodge, No. 48. He is unmarried.

ABRAHAM BRUYN MONTROSS.—Was born in Moscow, Livingston County, New York, August 2, 1822. At the age of thirteen years he was taken by his parents to White Pigeon, St. Joseph County, Michigan, and there our subject received his schooling and resided until starting for California. Late in February, 1849, he joined a joint-stock company that started for California on March 5th, with teams, etc. On March 20, 1849, leaving his home on horseback, he made his way to St. Joseph, Missouri, where he overtook his company, of which G. W. Peacock, now of Washington Township, Alameda County, was a member. Proceeding across the plains and coming *via* the Carson Route, our subject arrived at Ringgold, El Dorado County, September 28, 1849. After engaging in mining at this and other localities until August, 1851, at that date Mr. Montross and three companions descended the Sacramento River from Shasta, the object being to ascertain its navigability between that point and Sacramento City. The expedition being crowned with success, during the month of November, with two of his exploring companions, he purchased an interest in the stern-wheel steamer *Orient*, then running between Colusa and Sacramento. She was the first steamboat to reach Red Bluff, Tehama County—in January 1852. In the spring of 1852, being in ill-health, Mr. Montross disposed of his interest in the steamboat, and for two years retired from active participation in business. In the month of January, 1856, however, he came to Alameda County, and located near where Decoto now is, where he resided until 1858. He now engaged in sheep-farming, and in 1865 moved to his present property, comprising one hundred and fifty-six acres. Married, in 1873, Mrs. Sarah McCaivy, a native of Scotland, and has no issue.

VOLNEY DELOS MOODY.—Was born in Rodman, Jefferson County, New York, August 15, 1829, and is the son of Ransome G. and Elmira (Bacon) Moody. Having been taken when five years of age by his parents to Michigan City, Indiana, he there resided six years, and subsequently removing to Milwaukee, Wisconsin, there received his education, and dwelt for nine years, two years of which he was employed in a store, and during the last year of his residence was engaged as a contractor on the streets of that city. On March 28, 1849, Mr. Moody, his father, mother, one sister, and three brothers started to cross the plains with ox-teams, *via* Salt Lake City, to California. At the City of the Saints they branched off, and were one of the first parties to enter this State by the Southern Route. Having arrived in San Bernardino County in the latter part of December, they continued their journey to the Pueblo de San José, finally locating in the Pulgas redwoods, San Mateo County, where our subject was among the first to engage in the lumber industry to any extent there. At the end of a year he came to Oakland and purchased a saw-mill, about three miles to the east of San Antonio, which he conducted three years, when, in 1853, selling out his stock and leasing the mill, he returned to Milwaukee, purchased a band of horses, and drove them across the plains to California. In 1854 Mr. Moody once more returned to the East, and, purchasing cattle in Wisconsin, sent them across the plains; and at Newark, New Jersey, purchased carriages and had them shipped to this coast. He now paid a visit to his birthplace, and on May 3, 1854, was married to Miss Adeline Wright, a native of Jefferson County, New York. He then returned with his bride, by way of the Isthmus of Panama, to San José, where he resided until 1866,

being engaged in the lumber, flour, and cattle business. In the fall of the year last mentioned he disposed of his interests there, and, removing to San Francisco, embarked in a mercantile trade, which he continued nine years. In 1874 he conceived the idea of starting a bank in Oakland, and with a few "good men and true" of that city, in 1875, organized the First National Bank, of which, in January of that year, he was elected the President, a responsible and distinguished position which he still holds. In 1875 Mr. Moody built his residence, No. 564 Fourteenth Street, Oakland, where he now resides. He has a family of three children, viz.: William C., Nellie E., and Jessie L. (now Mrs. W. F. Blood of Oakland).

CAPT. JOHN MILTON MOORE.—This worthy gentleman is the son of John and Elizabeth (Whitesides) Moore, and grandson of Captain James Moore, in after life a pioneer of Illinois, having been born in that State as long ago as the year 1750. He was born July 15, 1810, in the old block-house on the Moore homestead, about a mile and a half from the site of the present town of Waterloo, Monroe County, Illinois, where he received a meager early education, but the best the schools of that date could afford, and resided amid the scenes incidental to the early settlement of the far West, until the year 1831, when he made his first business speculation, his brother James uniting his fortunes with him in a flat boat expedition to New Orleans, with a cargo of hogs and corn, the trip down the river occupying a month. Having realized handsomely on the venture, they returned home, and the following spring found them preparing to meet the dangers of the celebrated Black Hawk War. At this time our subject was mustered into the service in what was known as the odd battalion of the Illinois Militia, called into requisition by the Governor of the State, in which he was appointed color-bearer, April 28, 1832, and remained with the corps until it was mustered out. He then enlisted in the company of Captain Snyder as a private in the ranks, and served until this company was also mustered out of service. On his return to the more peaceful avocations of life, at the close of the Black Hawk War in the autumn of 1832, our subject was married to Miss Lucretia Stone, of Massachusetts, and a portion of the homestead tract being set apart to him, as was the custom in those days, he at once entered upon the quiet and pastoral life of a tiller of the soil. In the following year, in company with his brother James and his uncles, Enoch, and Milton Moore, Sr., and who had each a contract for the surveying and running of township and section lines of Government lands throughout the northern part of the State, joined the surveying expedition. This arduous undertaking accomplished, the party returned to their respective homes, while Captain Moore settled down to his former avocation of farming, and making occasional trips to New Orleans with produce. Upon the breaking out of the Mexican War, in 1846, our subject, in connection with Hon. J. E. O'Melveny, William Starkey, and Austin and Thomas Jones, raised a company of ninety-four, rank and file, and were mustered into service for the term of the duration of the war, on July 15, 1847, at the city of Alton, under the name of Company G, of the Sixth Regiment of Illinois Infantry, under command of Colonel Collins. Mr. Moore was chosen Captain of the company. We have not the space to follow our subject through the different scenes of the Mexican War; suffice it to say he was always found where duty called him, and upon the close of hostilities returned to his home in Illinois. In the spring of 1853 the natural inclination of Captain Moore for adventure not being sated, and having, in common with many others, become inoculated, so to speak, by the California fever, he commenced the necessary preparations for a long farewell to his native State—in all probability a life-long one. Disposing of his landed and personal property, and investing in stock, at that time valuable in the new State of California, about March 15, 1853, he, in company with his brother, William W. Moore, and several other families, bade adieu to their birth-place, relatives, and friends, and started on their long and arduous journey across the plains. After a five months' trip he arrived in Sacramento, where, leaving his family, he made something of a tour through the State, and finally settled in the beautiful

valley of San José, on the shores of the bay of San Francisco, and where he resided for nearly a quarter of a century. In the latter part of 1876 Captain Moore removed to San Francisco, where, after ministering to his sick brother, William W. Moore, with such acts and words of love and kindness as he best knew how, and having seen all that was mortal of his loved brother in their last resting-place 'neath the spreading oaks of San Lorenzo Cemetery, he cast about him for a new location, deciding upon the city of Oakland as his future home. There were born to the Captain and his wife four children, two of whom died in infancy, in Illinois. Two, who accompanied him to California, the eldest, a daughter, died in the spring-time of her life, while the remaining son was called away just as he had completed his legal studies, and had the world before him.

W. W. MOORE.—Was born in Worcester, Massachusetts, February 1, 1838, and there received his early schooling. At the age of thirteen years he shipped in the United States Navy, and served five years and nine months, after which he made several voyages in the merchant service in Vanderbilt's line, running between New York and Havre, France. Shipping afterwards in Boston in the employ of Robinson, Wiggins & Co., of that city, and subsequently with Silva, and J. J. Sparrowhawk, he made a trip to the coast of Africa in the bark *Hazard*, and in her returned as cabin passenger at the end of fourteen months. After a three months' stay at home, he left for California, arriving in San Francisco May 7, 1859. His first employment there was driving a coach for the International Hotel, and was present during the altercation which ended in the Broderick-Terry difficulty. In 1859 he proceeded to southern Oregon, where he served as Deputy Sheriff under James Hendershott. In March, 1861, he left there, and coming south took up his permanent residence in Oakland, Alameda County. His first occupation was brick-making, at the head of the bridge on General Williams' unimproved property, for J. O. Minor, at which he continued two years; he next drove an express wagon for Wingate. In 1863 Ed. Newlands brought a hack to Oakland, which Mr. Moore drove for the first three months; he then married, purchased the hack aforesaid, and has continued in the business ever since. Mr. Moore is an ardent worker in the ranks of the Democratic Party, and was a prime mover in the organization of the Hancock Fire Brigade of Oakland. He is an active worker in the Independent Order of Chosen Friends of the Pacific Coast; he is now the District Deputy of Alameda Co., he is also a Past Chancellor of the Knights of Pythias, Liberty Lodge, No. 35. He married Miss Maggie Cassidy, a native of Ireland, in 1863, and has the following family: five children, three boys and two girls.

FRANCIS D. MORIN.—Was born in St. Gregoire, County of Nicolet, Canada, January 20, 1822, where he was educated, and resided on his father's farm until the year 1836. At this time the political horizon in Canada was overcast, and fearing an outbreak, our subject removed to the United States, settled at Worcester, Massachusetts, and there learned the trade of tanner and curer. At the end of five years he moved to Vermont, and started a tannery at North Hero, Grand Isle County, in which business he remained until 1854, when he emigrated to California, *via* Panama, arriving in San Francisco, March 22d of that year. Proceeding immediately to Nevada County, he there was engaged in mining until 1857, when, coming to Alameda County, he became foreman in the tannery of D. C. McGlynn, in the town of Alameda, a position he held until 1858. He now moved to San Leandro and started a shoe shop, but disposing of this in 1861, he turned his attention to dairying, in which he has continued up to the present time. He also owns a fine five-acre orchard. Mr. Morin was elected Justice of the Peace for Eden Township in 1860, and still performs the functions of that office. In 1878 he was elected to be a School Trustee and after serving three years was rechosen in 1882 to fill the position, being also clerk to that Board. Married in San Leandro, 1862, Miss Kate Doenan, and has two children, viz.: Frank J., and Hercules A.

PERRY MORRISON.—Was born in Dearborn County, Indiana, October 6, 1818. At the age of six years he was taken by his parents to the vicinity of Indianapolis, where he was brought up, and resided on a farm until 1839. At this time he accompanied his parents to Louisa County, Iowa, and there engaged in farming, in the mean time losing his father in 1843. In March 1847, in company with a train of eighteen wagons, with whom were Mr. Meek and L. Stone, at present residents of this county, they started with ox-teams to cross the plains to Oregon, to which *terra incognita* they proceeded by way of Fort Hall, and arrived in Oregon City, September 7, 1847. The country was at that time, as it is to-day, the perfection of a timber country, and nearly all who arrived there at that time commenced the felling of trees and the manufacture of lumber. On arrival Mr. Morrison engaged in sawing logs, and such like employment, until September 1848, when, hearing of the discovery of gold, he laid down the saw and ax, and betook himself to California and her prolific gold-fields. Arriving on Feather River in October, 1848, he followed mining, which abandoning in August, 1849, he came to Alameda County, then the Contra Costa, and located his present valuable homestead, then pointing to but little comfort, but now developed into one of the most splendid places in the township in which he resides. Married, firstly, in Tipton, Iowa, Miss Mary Davis, a native of Ohio, who died shortly after her espousal; and secondly, in San Francisco, Miss Martha Hastings, a native of Hartland, Vermont, by which union there were three children, only two now surviving, viz.: Samuel, and George P.

WILLIAM MORTIMER.—Was born in Yorkshire, England, May 11, 1845, and is the son of William and Mary (Hirst) Mortimer. Having resided at his birthplace until he attained the age of twelve years, his parents emigrated to the United States, and settled in Ithaca, Tompkins County, New York, where our subject was educated and resided until 1865, having also learned telegraphy. In this last-mentioned year he accepted a position in the Delaware, Lackawanna, and Western Railroad, where he remained until 1869, when he became agent for the Union Pacific Railroad at Sherman. Here he resided until he came to San Francisco in 1872, under engagement to the Central Pacific Railroad Company. After a month in the general office, he was at his own request installed in the agency at Niles Station. In 1876 he began a warehouse business at Washington Corners, which was burned September 3, 1880, but this he rebuilt, and soon took J. E. Warmsey into partnership. October 15, 1880, he purchased the warehouses at Niles, and has since been conducting both places. Married September 9, 1868, Miss Mary E. Warmsey, and has three children, viz.: Florence J., Frank, and George.

ORIGIN MOWRY.—The subject of this sketch, whose portrait appears in this work, was born in Providence County, Rhode Island, July 3, 1825, where he learned the trade of mason, and resided for a portion of the time on a farm, until starting for the Pacific Coast. In the month of February, 1846, his father, mother, and brother Rinaldo, accompanied by our subject, took passage in the historic ship, the *Brooklyn*, and after a voyage occupying six months, arrived in San Francisco in the month of August, among the passengers being Simeon Stivers, Mr. Nicholls, and Mrs. Marshall, all residents of Washington Township. After being employed for a short time in San Francisco, Mr. Mowry moved to Saucelito, near Mount Tamalpais, and there worked one winter. He was subsequently variously employed in different places, until the discovery of gold in January, 1848, when being then the owner of a small sloop, he found profitable employment in conveying passengers to Sutter's Fort. Afterwards he took a turn at the mines himself, and for two months worked with considerable success. In the fall of 1848 he went to Murphy's Diggings, at the back of Stockton, two months thereafter returning to San Francisco. Mr. Mowry now took a trip to Valparaiso and back, and while absent purchased a stock of merchandise, which he disposed of on his return to San Francisco with considerable profit. Previous to these exciting times, however, our subject and his father had taken up

two fifty vara lots in San Francisco, which are still owned by the gentleman of whom we write. They are situated respectively at the corner of Broadway and Powell, and Vallejo and Powell Streets, and are at present most valuable pieces of property. In 1850 Mr. Mowry located the place on which he now resides in Alameda County, comprising four hundred and twenty-five acres, on which with the march of advancement he has made vast improvements. Here he has surrounded himself with all the comforts his long life so well deserves, while his well-known kindness to the needy in early days, is reaping for him the great luxury of 'being highly respected and appreciated by the community in which he dwells. He also owns one hundred and sixty acres at Washington Corners, and a like quantity near Warm Springs. Also over one thousand acres in Fresno County, on the San Joaquin River, under fence and fine location, while he is engaged in adding to his already great wealth by agricultural and pastoral pursuits. He married May 1, 1854, and has four children, viz.: Marion L., Joseph C., Frederick W., and Abbie A.

THOMAS W. MULFORD.—The subject of this sketch, whose portrait appears in this work, was born in Long Island, New York, April 26, 1829, and is the son of Edward and Charity (Smith) Mulford. Here our subject attended the common schools of the district and resided until the famous year of '49, having learned the blacksmith's trade. When the discovery of gold had become known on the Atlantic Coast it became the custom for a number of young men to form themselves into an association for the purpose of mining in California under a set of rules and regulations for their guidance. On February 5, 1849, our subject became associated with the Patchogue Mining and Trading Company, consisting of Abel R. Briggs, Z. D. Fanning, Israel Green, Edward F. Whiting, Elias P. Overton, Moses Wicks, Edmund Terry, Thomas W. Mulford. Leaving Patchogue on January 26, 1849, they sailed from New York on the 5th of February, on board the bark *Keoka*, James McGuire, Master, with thirty-four passengers bound around Cape Horn for the Land of Gold. On the 4th April they entered the harbor of Rio de Janeiro, leaving it on the 15th to recommence the tedious voyage. The varied changes from calm to storm, from daylight to darkness, were ever being rung, the monotonous cadence being occasionally varied by deck sports, or fishing for sea-birds, Mr. Briggs having been successful in hooking an albatross measuring seven feet from tip to tip. They eventually arrived in San Francisco on September 17, 1849, after a tedious passage of two hundred and twenty-four days. It is curious to note what Mr. Mulford's impressions of the Bay City were on his arrival. In a most interesting diary that he kept he states: "San Francisco is a city of men. It is seldom that one sees women or children. It now has nearly two thousand wooden buildings and as many canvas ones more. Two months previous to my arrival here, I am informed, there were not forty wooden buildings in the place. It is a city going up in a day, while every one is hurrying to and fro, paying attention to nothing but his own business. Things are very dear and wages high. Carpenters' wages are from twelve to fifteen dollars per day, and any man at work in the streets here can get from five to six dollars a day. But board is very dear—from one dollar to ten or twelve shillings per meal. A person can get pretty fair board for fourteen dollars per week, with one blanket and the floor for a bed. Vegetables are something out of the question, and it is seldom that they are to be seen on any table. Potatoes are fifty cents per pound; onions seventy-five cents, and frequently one dollar each." At the outset our subject embarked in the occupation of a stevedore, but soon after crossed the bay to the Contra Costa shore and commenced the profitable occupation of hunting for the San Francisco market, and followed it until February, 1850. At this time Mr. Mulford determined to try his luck at the mines, but not meeting with encouraging success he returned to his old camping-ground near San Leandro, located on the land he now owns in 1851, and prosecuted hunting until the spring of 1853. He now, in partnership with Moses Wicks and E. M. Smith embarked in an agricultural, warehouse, and freighting business, and after

fifteen years of joint farming purchased Mr. Wick's and E. M. Smith's share in the concern, and has since been engaged in general farming and warehousing on his property, comprising three hundred and fifty acres. Mr. Mulford has been also extensively engaged in the real estate business in Alameda County and in the city of San Francisco. Our subject from 1857 to 1860 was favorably known as the proprietor of the "Estudillo House" in San Leandro. He was a very youthful looking landlord, and travelers who stopped at the house for the first time used to laugh at his beardless face. But he was one of the few young men of the country of those days who "knew how to run a hotel." At the same time he carried on his farm mentioned above, also a livery stable and various other branches of business—in other words, he had a great many irons in the fire, but being an expert, he managed to prevent any of them from burning, and succeeded in acquiring a very considerable fortune. The executive ability displayed in his earlier life has for a number of years past been devoted almost exclusively to his farm on the bay shore two miles from San Leandro. As before stated, this farm consists of three hundred and fifty acres, and they are among the best cultivated in the State of California. His barn, his agricultural implements, his fences, his deep ploughing, his clean fields, his large stock—everything in fact indicates the thorough farmer. In addition to, but at the same time connected with, his farming business, he is proprietor of several warehouses and wharves at what is known as "Mulford's Landing," from which a line of schooners transport all the hay and grain of the neighborhood to San Francisco. Though popularly known not only in the county but throughout the State, and always taking an active part in politics and public affairs, Mr. Mulford enjoys the proud distinction of never having held and never having asked for an office. Married, in August 1866, Miss Hannah Hudson, and has two children, viz.: Katie A. and Gertrude H.

MICHAEL MULQUEENEY.—The subject of this sketch is a native of Ireland, born in County Clare, where he spent his youth and early manhood until twenty years of age, when he emigrated to Canada, and there resided for four years. His next move was to the land of the free, and in the spring of 1868 he emigrated to California. Coming *via* Panama he arrived in San Francisco April 23d of the above year. A few weeks later we find him in Alameda County, and in 1869 he purchased some property near where he now resides, and there laid the foundation for the successful business in which he is now engaged, adding by purchase from time to time until the fall of 1882 we find him with a sheep ranch of some four thousand acres located about two miles from Midway. In the spring of the following year he added another four thousand acres to his already large estate, and has now one of the largest ranches in Alameda County, and is the acknowledged king of that industry in this section of the State, having from five to eight thousand head of sheep on his range. Mr. Mulqueency is a kind-hearted and genial gentleman, and is universally respected by all who know him, and with his excellent wife enjoys the blessings of a happy home. They have a family of two children, John F. and Michael C.

EMERY MUNYAN.—The subject of this sketch, whose portrait appears in this work, was born in Thompson, Windham County, Connecticut, on Christmas-day, 1823, where he was educated and resided on his father's farm until he grew to man's estate. At this time he proceeded to Burrillville, Providence County, Rhode Island, where he acquired the spindle-maker's trade, and at the end of three years transferred the scene of his labors to Milbury, Worcester County, Massachusetts, and there resided until making up his mind to tempt fortune on the Pacific Slopes. Sailing from New York May 20, 1852, in the steamer *Prometheus*, he journeyed *via* the Nacaragua route, and at San Juan continued the voyage in the steamer *Pacific*—among the passengers being his neighbor Edward Ross—finally arriving in San Francisco June 26, 1852. He at once crossed the bay to what has since become Alameda County, first locating at Mowry's Landing, and there embarked in the cultivation of vegetables. Here he resided until New Year's day, 1853, when he settled on his

present farm, comprising twenty-seven acres, situated about one mile and a half from Newark, where he is engaged in general farming and fruit-growing. As a conchologist Mr. Munyan has a high reputation, his cabinet of shells indigenous to this coast being one of the most perfect in the State. He also possesses a remarkably fine collection of minerals and fossils. The gathering of these specimens he commenced in the year 1869, and in 1871, having built a handsome cabinet for their reception, he generously placed the whole in the Lincoln District School, of which he has been a trustee from its organization up to date. He is also a charter member of the Pioneer Association of Washington, Murray and Eden Townships. Possessed of a singularly retentive memory, Mr. Munyan is full of reminiscences of his pioneer life in this county. He has ever taken an active part in whatever might tend to her benefit, and his love of literature and brilliancy of conversation make him a most charming associate.

EDWARD MURPHY (deceased).—Born in County Monaghan, Ireland, in the year 1829, and was the son of Dennis Murphy, a surgeon in the British army, who fought in the War of 1812. When twelve years of age he came alone to St. John's, New Brunswick, and subsequently moving to Milford, Worcester County, Massachusetts, there found employment in a general merchandise store, where he remained until the fall of 1849. In that year, so dear to the heart of the pioneer, he started for California by way of the Isthmus of Panama, and after suffering shipwreck on the coast of Mexico, ultimately arrived in San Francisco in January, 1850. Finding employment in Marin County until 1854, in the spring of that year he went to Massachusetts, but shortly after returned to the Pacific Coast, and locating in the Bay City, engaged in the livery business as proprietor of the Pioneer Stable. There he remained until the spring of 1856, when he moved to Alameda County and pitched his tent in Washington Township not far from the Alviso school house. There he purchased a ranch about two miles north of where now stands the town of Decoto, and engaged in farming until 1863; but selling out at this time he transferred his habitation to Alvarado and was in business there until 1869, farming near that place for the subsequent two years. In 1871 he arrived in Murray Township and leased a portion of the Dougherty Ranch where he dwelt until March, 1876. He then moved to Dublin and engaged in hotel-keeping until his decease on October 23, 1881. Married, April 12, 1855, Miss Margaret Crowley, a native of County Cork, Ireland, by whom he left five children, viz.: Mary E. (now Mrs. O. R. Owens), Edward D., Francis A. (now Mrs. T. H. Thorndyke), Daniel J., John W.

FREDERICK F. MYERS.—Was born in Licking County, Ohio, June 15, 1839, and is the son of John and Frances (Smith) Myers. Having resided in his native State until the year 1856, he then proceeded to Kansas, where he was employed as an express carrier in the Quartermaster's department of the Government. In 1858 he left Kansas with Capt. Hancock, arriving in Benicia in November of the same year, and the following spring accompanied Colonel Hoffman's expedition to Lower California, staying there until 1860, in which year he severed his connection with the Government and removed to Oregon and commenced business in Salem as a wagon-manufacturer, remaining there until 1862, when he transferred his residence to Idaho Territory and embarked on mining. At the expiration of one season he returned to Portland, Oregon, and began a livery business, in which he was engaged until 1866, when he left for San Francisco, coming to Alameda County after a year's residence in the Bay City. He now established himself in a carriage shop in the city of Oakland, but at the end of eighteen months embarked in the lime, plaster, and cement business, which he still continues at the northeast corner of Third and Washington Streets, Oakland. In the year 1878 Mr. Myers was elected one of the Board of Supervisors of Alameda County, for the Fifth District. He married in May, 1873, Mrs. Sarah Willis McCann, who died April 7, 1880.

HENRY F. NEBAS.—The subject of this sketch, whose portrait appears in this work, was born in Hesse-Darmstadt, Germany, November 20, 1830, but when fourteen

years of age accompanied his parents to the United States and located in Buffalo, New York. When nineteen years old he commenced to learn the carpenter's trade, which he followed there until March, 1854, when he started for California. Proceeding by way of Panama he arrived in San Francisco during the latter part of that month and immediately went to the mines in El Dorado County, where he remained until 1856. In that year we find Mr. Nebas in Alameda County, employed in various capacities for seven years. He then leased land in the vicinity of Haywards for five years, when he purchased his present farm, comprising about seven hundred acres, on which he has made many improvements, and where he is engaged in general farming and stock-raising. Married, October 19, 1862, Miss M. A. Doody, a native of Ireland, by whom he has had six children, five of whom by the most distressing accident were killed when returning from a picnic at the railroad crossing near Haywards on May 2, 1882. His only remaining child Henry W., died of fever in 1883, while this work was in press. In Mr. Nebas we have another living example of what a life of energy and perseverance can do. He lives respected by his fellow-citizens.

WILLIAM NEWCOMB.—Was born in Quincy, Norfolk County, Massachusetts, December 1, 1808, and is the son of Thomas P. and Hannah (Hayden) Newcomb. Having resided with his parents until 1836, on the 11th September of that year he was united in marriage to Miss Elizabeth, daughter of Perez and Mary R. (Pette) Sprague, a native of Massachusetts, who was born September 1, 1811. He now settled in his native place, where he followed the boot-making trade until his coming to California. On February 20, 1853, he sailed from New York to the Pacific Coast, and after suffering shipwreck on the *Tennessee* arrived in San Francisco during the last days of the month of March. He at once commenced farming in Alameda County, on the ranch now owned by Mr. Emery and there remained five years, at the expiration of which he returned to the Eastern States, but in 1860, bringing with him his wife and family, he came back to California and settled in Oakland, where he has since resided. His family consists of Maria G. (now Mrs. T. L. Walker), Mary E., (now Mrs. J. H. Hobart), and Warren W.

JOHN H. NICHOLSON.—Was born in Sussex County, Delaware, April 1, 1820, where he resided until the year 1836, when he moved to Adams County, Illinois, and there dwelt until 1853. Emigrating in that year to California, Mr. Nicholson settled in San Ramon Valley, Contra Costa County, where he followed farming until 1878, when he came to Oakland and established his present business, viz.: that of a coal and wood merchant. Married, November 29, 1843, Miss Francis Field, by whom he has seven children, viz.: Henry C., Isabella, John W., Mary D., Golder A., Martha, and Adenia.

EDWARD NIEHAUS.—The subject of this memoir, whose portrait will be found in this work, was born in the kingdom of Hanover, Germany, December 24, 1827, where he received a common-school education, and resided until the year 1842. Being then but fifteen years of age, he bade adieu to the land of his birth, and emigrating to the United States, settled in St. Louis, Missouri, where he served a three years' apprenticeship to the blacksmith trade, and afterwards followed it there until 1850. In the month of April of that year he left St. Louis with mule-teams in Doctor Knox's company, and crossed the plains to the Land of Gold, arriving at classic Hangtown, now more appropriately named Placerville, September 11th, after a not unpleasant trip of five months' duration. Until December 8th Mr. Niehaus tried his luck in the mines; he then came to the Contra Costa, erected a house on the Horner and Beard claim, put in a crop of barley and potatoes (in which he sank five hundred dollars), and resided there for one year, on the expiration of which he returned to the mines. At the end of eighteen months, he came back therefrom with fourteen hundred dollars in his pouch, and commenced farming in partnership with L. P. Gates in the Santa Clara Valley, which continued a twelvemonth, at which time he purchased the interest of his associate, continued farming until 1874, and then sold

out. Mr. Niehaus now embarked in his present business of merchant with S. Salz, under the firm name of Salz & Co., and has since continued it. In this gentleman we have one of the most whole-souled of living mortals. He is noted for his uprightness in business, his strict honesty, and unswerving rectitude of character. His heartiness is infectious, his probity, unquestioned.

J. K. NISSEN.—A native of North Schleswig, and was born November 23, 1840. Here he maintained a residence until the month of June, 1864, when he went to Hamburg, and lived there until May, 1867. At this time he emigrated to California, and landing in San Francisco July 29th of that year, joined his brother, who had been a resident of San Lorenzo, Alameda County, for two years previously. Failing to find employment there at the end of two weeks, he returned to San Francisco, and there was engaged to proceed to Mount Eden, where he worked in a store for seven months. Returning then to the Bay City, he was employed for three months in a restaurant there, when he left for the country, and after working for a short time on a farm, obtained a situation in San Leandro in a store, where he remained eleven months. Feeling dissatisfied now at working for others, Mr. Nissen started a peddler wagon with dry goods, which he found more profitable. On December 12, 1869, he married Claudine Buchpold, a native of Nord Schleswig, and in the fall of 1870, purchased a lot from William Meek, San Lorenzo, on which he built a small residence, where, after some time, he opened a store, still continuing his wagon business, leaving his wife in charge of the place. Both being economical and industrious, they soon put by a little money, which ultimately enabled him to buy a lot in the town of Haywards in 1875, on which he built a large two-story house for a store and dwelling, combined with a hotel. His family consists of two girls and two boys.

ANDREW J. NOR.—Was born in Germany, March 21, 1855, and there resided until the year 1872, when he emigrated to the United States, and settling in Livingston County, Illinois, there lived for a year, at the end of which time he came to California, embarked in the dairy business in Merced County, and there continued until 1875, when coming to West Oakland, he resided until 1878, when he entered into partnership with F. G. Eiben in the grocery business under the style of Eiben & Nor, at the northwest corner of Seventh and Campbell Streets, Oakland. Married in November, 1881, Miss A. S. Miller.

LOUIS NUSBAUMER (deceased).—The subject of this sketch, whose portrait appears in this history, was born January 19, 1819, in Carlsruhe, Grand Duchy of Baden. His mother Amalia Gmehli was born in the town of Mühlheim on the upper Rhine. His father, George Nusbaumer, born in Switzerland, entered the army of Napoleon I. at an early age; serving in the medical department through all those memorable campaigns. For conspicuous services rendered at the grand catastrophe of the "crossing of the Beresina" he received the highest decoration of honor, at the end of the great historical drama. After completing his medical studies at Heidelberg, he established himself at Carlsruhe and subsequently became one of the most renowned surgeons of his time. Louis was born in the second year of their marriage; his mother died the year following. After passing the Lyceum and attending lectures at the Polytechnic Institute, Louis, at the age of seventeen, entered a mercantile house in Frankfurt on the Main. From nineteen to twenty-one he spent on one of those large model farms to obtain a practical insight of farming. At twenty-one he entered a jewelry establishment as book-keeper in the city of Pforzheim. At twenty-three years he married a young lady of that place named Elizabeth Roth, born September 5, 1824, in Mobile, Alabama, she had returned with her parents to Germany at the age of five. Nusbaumer now rented a large estate on Lake Constance on the upper Rhine, where they lived nearly two years. Here again they met with heavy losses through misplaced confidence, and but for the constant and faithful assistance of his young wife the situation would have been desperate. They now turned their thoughts to the great country in the far West. In June, 1847, they arrived in New York, on the

ship *Earl of Liverpool*. Nusbaumer soon obtained a situation in a jewelry establishment in Newark, N. J. In the fall of 1848, after the first exciting news from California had reached the States, Nusbaumer, like many others, was seized with the gold-fever. On the 20th of March, 1849, he, in company with sixty others, mostly Germans, left the city of New York, full of hope, on their journey overland, towards the gold-fields of California. The organization soon broke up and Nusbaumer arrived in company with others at Salt Lake, October 1, 1849, seven days later himself with five others resumed their journey westward. After traveling two hundred and fifty miles in ten days on foot they fell in with Capt. Hunt's train, consisting of one hundred and fifteen wagons. Journeying with them ten days without much headway, Nusbaumer with several others left the train and took a random course towards "Walker's Cut-off." The third day the country ahead became utterly impassable for wagons. Henceforth, their journey was one of continuous hardships and privations, wagons and contents had to be abandoned and only the most needful articles packed on their cattle. Time and again, they were without water and food for days; most of their cattle perished. On the 19th of February, 1850, the last beef was killed; four days later, to their inexpressible joy, they struck Capt. Hunt's trail on the Mohave River, and six days more brought Nusbaumer and two more of the original company of sixty to the first Spanish ranch in Lower California, March 1, 1850. They soon made their way towards San Francisco. During the summer he mined in the Merced River. The spring following, April 5, 1851, his wife who had made the trip by steamer *via* Panama had joined him once more. With the exception of some eleven months spent in a trip to Oregon and back, they lived in San Francisco till the fall of 1856, when they moved on an eighty-acre farm on Dry Creek, Washington Township in this county, bought by C. Duerr for Nusbaumer and himself. October, 1857, Duerr and Nusbaumer rented the estate of John W. Kottinger, situated in Murray Township, embracing the larger part of the present town of Pleasanton for a term of five years. Their business here consisted of merchandising and sheep-raising. At the expiration of their lease 1862, they bought a joint interest in the Rancho El Valle de San José consisting of some three thousand acres, on part of which they made their permanent home. On the 25th May, 1876, Louis Nusbaumer met with irreparable loss in the sudden death of his estimable wife, his life-long companion, who always encouraged and faithfully assisted him in their many grievous trials in their younger days. To her untiring industry is due a very large part of the success that finally crowned their efforts. From this shock Nusbaumer never entirely recovered. On the 10th day of July, 1878, he, too, died at the age of sixty. They left four children George Louis, Albert, Emil, and Bertha, aged respectfully thirty-one, twenty-nine, twenty-seven, and twenty years; all of whom are permanent residents of Alameda County. Personally Mr. Nusbaumer was a remarkable man in many ways; below medium height, compelled through near-sightedness to wear eyeglasses at all times, he was physically of great endurance, a great hunter, an expert shot, an accomplished rider, and an entertaining companion, warm-hearted and generous to a fault, always ready to forgive. His many noble qualities of heart and mind will ever be remembered by his many friends.

STEPHEN G. NYE.—Was born in January, 1834 at Westfield, New York. His father, John Nye, was among the first settlers on the Holland Land Company's Purchase in western New York, when there were no roads and all was forest west of Buffalo, and he and his family suffered the privations and toils incident to pioneering. The children were two sons; one of whom met his death in the Union Army in Virginia in 1862. The subject of this sketch received such education as the common school could give until the age of sixteen, when he commenced teaching, and with his earnings pursued his studies until his graduation at Allegheny College, Meadville, Pennsylvania, 1858. For the next year and a half he was principal of Westfield Academy, and he then entered the law office of Hon. T. P. Grosvenor, at Dunkirk, New York where he pur-

sued his studies until November, 1861, when he came to California. His first bread was earned by teaching the district school at Centreville in this county for three months. He then entered the law office of Janes & Lake as clerk in the spring of 1862, and there remained until the death of Mr. Janes broke up the partnership. He was admitted to practice in the Supreme Court in April, 1862. In 1863 he returned to this county, where he has ever since resided. In the fall of 1863 he was elected District Attorney of this county, and served two years. On the resignation of Judge Noble Hamilton as County Judge, in August, 1867, he was appointed by Gov. Low to fill the vacancy and was successively elected thereafter to the same office until his resignation, which took effect September 1, 1878. He then resumed and has ever since continued the practice of his profession. In 1879, after the adoption of the New Constitution, he was elected to the State Senate, where he served in the sessions of 1880 and 1881. He was married in January, 1863, to Miss Emma M. Hall, daughter of Asa Hall of Westfield, New York. In 1865 they purchased a block of land in San Leandro, and built a house, where they have ever since resided.

JOHN H. OLIVE.—Was born at Long Point, Canada West, seventy-five miles south of London, September 7, 1825, where he was brought up on a farm until he attained the age of eighteen years. At that time he removed to London and engaged in the stage business until July, 1850, when he emigrated to Galena, Illinois, and entered the employ of Funk & Walker on their stage line from Dubuque to Iowa City, thence to Muscatine on the Mississippi. In this service he remained until April 12, 1851, when he embarked for St. Louis, Missouri, and there joining Howe & Maly's circus with it traveled through Illinois and Wisconsin, arriving in Galena July 4th, of the same year. Here he severed his connection with this company, but on the 24th of the same month he joined Howe & Lent's circus, and with it went through the States of Wisconsin, Illinois, Indiana, Ohio, Pennsylvania, New Jersey, and finally brought up in New York, October 19, 1851. Mr. Olive now found employment in the Bowery Theater, and was one of the party that brought General Kossuth, the Hungarian patriot, from his ship at Staten Island, at the time that he made his first speech in the United States. Our subject revisited London in December, and remained there until June, 1852, when he once more embarked in the staging business, but in the month of December of the same year he proceeded to Michigan, and followed the like occupation. On March 4, 1854, Mr. Olive joined Captain Young's party bound for California. Leaving Galena in April, now commenced a series of hardships and adventures from which the stanchest might turn. On their weary journey across the endless plains they were twice attacked by Indians, on the Platte River and at Steamboat Springs, but exercising extreme caution and displaying no fear they made their way safely through the dangers seen and unseen. On June 26th, the desert was crossed and Ragtown gained; thence they proceeded by Beckwith Cut-off to Bidwell's Bar, finally arriving at Sacramento, August 11, 1854. Here our subject found employment with the California Stage Company. March 3, 1856, he removed to Stockton, followed his old occupation until March, 1862, when he purchased a farm in Merced County, and resided there three years. At the end of that time he took up his residence in Stockton until 1865, when he took charge of Dooley & Co's. stage line until 1872, and on C. H. Sisson becoming proprietor remained with him until 1876, when he purchased an interest in the stage line which retaining until 1879, he then removed to Contra Costa County, settling on the Fish Ranch, eight miles from Oakland.

LUTHER E. OSGOOD.—Was born at Blue Hill, Hancock County, Maine, June 17, 1831, where he received his education and resided until he grew to man's estate. In November, 1852, he sailed from New York to Aspinwall in the *Illinois* on his way to California. On the Isthmus the poetry of travel commenced to wear away. Half of the journey across was performed on foot; however, the Pacific shore was attained, and thence taking passage on the *Golden Gate*, the city of San Francisco was reached

December 17, 1852. In January, 1853, Mr. Osgood came to Centreville, found employment with a Mr. Torrey for one year, and subsequently found various occupations in different places until November, 1857, when he returned to the scenes of his youth in the State of Maine, married, and in the following May returned to the Golden State. Coming to Alameda County at this time, 1858, he located on the place to which he had come in 1853, situated about three miles south of Centreville, comprising one hundred acres. In 1874 he purchased the Morgan Ranch, adjoining his property. In 1880 he transferred his residence to Washington Corners, where he purchased of Judge A. M. Crane the property on the San José road, on which he now resides. In the fall of 1875, Mr. Osgood was elected to the office of Township Assessor and has been chosen to fill that position for no less than four terms, while he is its present incumbent. He is a charter member of the Washington Township Pioneer Association, and has been its Treasurer ever since organization. Married in Blue Hill, February 7, 1858, Miss Sarah P. Hinckley, a native of Maine, by whom he has had a family of two children, viz.: Annie E. (deceased), and Blanche A. The twenty-fifth anniversary of their marriage was duly celebrated February 7, 1883.

ADAM A. OVERACKER.—Was born in Cuyahoga County, Ohio, May 26, 1814. He resided on his father's farm until he attained the age of sixteen years, when he accompanied his parents on their removal to Lodi Plains, Michigan. Here he received his education and resided for fourteen years. At this time Mr. Overacker took unto himself a wife, and transferring his habitation to McHenry County, Illinois, there dwelt two years, when he moved to Jones County, Iowa, and engaged in farming at that place for twenty years. In 1854 he traded his farm to a Mr. Hollenbeck for sheep in California—what was supposed to be a goodly herd—and forthwith proceeded to the Pacific Coast to take possession, but found on arrival at Centreville, that there were only five hundred head all told. For two years our subject was a resident of the Centreville district; he then removed to Murray Township, and in 1866 purchased his present property, comprising three hundred and twenty acres, situated one mile east from Livermore, where he engaged in general farming. Mr. Overacker has held the office of Secretary of the Board of School Trustees for five years. Married, August 28, 1836, Miss Phoebe W. Patterson, a native of the State of New York, by whom there has been a family of seven children, five of whom survive, viz.: Horace T., George P., Mary (now Mrs. J. L. Weilbye), Lula (now Mrs. L. A. Summers), and Alice P. (now Mrs. Geo. Hawkins).

HOWARD OVERACKER.—The subject of this sketch, whose portrait appears in this work, is the son of Michael and Lucinda (Briggs) Overacker, and was born in Cuyahoga County, Ohio, November 21, 1828. When an infant five years old he was taken by his parents to Sharon, Michigan, where they located, and our subject had his early schooling, as well as being trained to hold the plough and watch the season's change. Residing on a farm, he then heard the wild alarum ring that gold had been discovered in the tail-race of a mill in California. With such prospects ahead he at once made up his mind to tempt the "fickle dame," and in December, 1851, left Michigan for New York, whence he sailed on the steamer *Daniel Webster*, January 1, 1852. Traveling by the Nicaragua route, after a voyage, unmarred by any incident of moment, our subject landed in San Francisco on the 15th February. To reach the gold-bearing sections of the State was now his chiefest wish. He almost immediately proceeded to Placerville and after engaging in mining for some six months, with but moderate success, determined to turn his attention to farming, therefore coming to Alameda County in November, 1852, he located in the vicinity of Centreville, where he remained until the fall of 1855, when he visited his early home, bringing out a young wife. In 1856, in partnership with his brother, Michael Overacker, the property now owned by the widow of the latter was purchased, and there he maintained a residence for four years. In 1860 he revisited the home of his youth, taking with him his wife and child, returning to California in April of the same year. On arrival he purchased his present farm of two hundred and sixty acres, situ-

ated about half a mile northeast of Centreville, where he is extensively engaged in fruit-raising; his elegant residence was erected in 1867. Like all pioneers brought up on the frontier Mr. Overacker has a great love of the chase. To wage war against the savage grizzly was with him a passion; his scars but tell the tale of his unyielding pluck; a broken arm and several ribs but speak of hair-breadth escapes. As pomologist and agriculturist he has no superior; as a genuine man he has but few peers, while, as a trustworthy citizen he is an honor to the community in which he resides. These virtues have borne their reward. In 1862 he was elected from Washington Township to fill the position of Supervisor, being elected four years in succession, and was again called upon to assume these functions in 1871, while such was the estimation in which he was held by his associates that he was called upon to assume the Chair, and presided during one year. In 1878 he retired from public life and is now enjoying a well-earned rest from official labor. Married in Jones County, Iowa, January 28, 1856, Miss Dora Monroe, a native of New York, and has the following family, viz.: Fleda (now Mrs. John A. Bunting), Howard, Jr., Kate, Elizabeth, and Michael.

OWEN R. OWEN.—Was born in the Isle of Anglesea, North Wales, March 31, 1846, and there resided until he attained the age of eighteen years. He then emigrated to California by way of Panama, arriving in San Francisco April 30, 1863. After passing three years as shipping-clerk in the employ of Charles Clayton, San Francisco, he came to Alameda County, commenced farming on the Dougherty Ranch, and there continued until 1869, when he moved to Livermore and the place on which he now lives, having some fifteen hundred acres under cultivation. These he relinquished in 1882, when he purchased one hundred and eighty acres, and is now engaged in agricultural pursuits of a general nature. Married in Dublin, Alameda County, February 24, 1878, Miss Mary E. Murphy, a native of Alvarado, Alameda County, by whom he has had a family of three children, viz.: William J. (deceased), Edward Roland, and Owen R., Jr.

ROBERT FOSTER PATTEN.—The subject of this sketch, one of the three veritable pioneers of the city of Oakland, whose portrait appropriately finds a place in this volume, is the son of William and Ruth (Foster) Patten, and was born in Washington County, Maine, February 8, 1798. In early life he learned the tanner's trade, like his father before him, and in 1812 accompanied his parents to Nova Scotia, where they had taken up their residence, and our subject resided until he attained the age of twenty-four years. At this period he returned to his relatives in Maine, where he passed the next seven years. Subsequently returning to the British possessions, in connection with his younger brother, he embarked in the business of carriage-building in New Brunswick, and thus continued until making up his mind to join the thousands that were flocking to the mines of the Pacific Coast. Sailing from Boston, Massachusetts, in the ship *Sweden*, Captain Cotting, *via* Cape Horn, on March 1, 1849, he landed in San Francisco August 4th of the same year, and there joined his brother William, whose arrival had preceded that of our subject by about twenty days. In February, 1850, Mr. Patten and his two brothers crossed the bay, made up their minds to settle upon the place now occupied by that portion of East Oakland known as Clinton, obtained a lease of one hundred and sixty acres, in the following year acquired four hundred and eighty acres more, and there continued farming four years. For full particulars of the transactions of the Patten Brothers we would refer the reader to the history of Brooklyn Township on page 413 of this work. Here have the two brothers, Robert and William, resided ever since—the third brother, Edward C., died in April, 1852—respected by the entire community as honest, upright men. The subject of our memoir never married. His brother William Patten, who was born December 30, 1800, married, in 1854, and has one child.

GEORGE W. PATTERSON.—Was born in East Berlin, Adams County, Pennsylvania, July 26, 1822, and in early childhood removed with his parents, Henry and Lydia (Kimmel) Patterson, to Greene County, Ohio. There they resided on a farm

till the fall of 1832, when they moved to Tippecanoe County, Indiana, and followed farming as before. Early in the year 1849 a joint-stock company was organized in La Fayette, for the purpose of mining and trading in California. This company was composed of about twenty members, and each, of whom our subject was one, contributed five hundred dollars to the common fund. They left La Fayette March 13, 1849; thence by steamer *via* New Orleans to Port Lavaca, Texas, and with teams and pack-horses overland *via* San Antonio, Santa Rosa, and Durango to Mazatlan. The journey was made in the midst of cholera, of which one member (Jerry Starr) died near Durango, and was toilsome and slow from Texas to the Pacific. They remained a week awaiting a vessel, and finally sailed July 13th on the brig *Louisa*, touching there from Sydney. They were forty-seven days out, with barely enough water to live, and arrived in San Francisco, August 29, 1849. Here in the harbor were supplies that they had ordered from New York six months before. The company having dissolved, the goods were divided and the members separated. Our subject, with four others, went to the American River mines, where they worked more or less successfully, and the next summer went to the Trinity mines. But with bad investments and heavy expenses, at the end of fifteen months he found himself broken down physically and financially, and came to Alameda County about January 1, 1851, to recuperate, engaged in farming; since he has been moderately successful. Was married July 11, 1877, to Miss Clara Hawley, a native of California. Has two children, Henry G. and William H. Patterson, aged respectively five and two years.

NATHANIEL GREENE PATTERSON.—Was born in Greene County, East Tennessee, March 23, 1820, but at nine years of age was taken by his parents to Greenville District, South Carolina, where he attended school and resided for nine years. At this period of his life he proceeded to Jackson County, Missouri, and while a resident of that place made two trips to Santa Fé, the first journey being undertaken in 1842, and the second in the following year. On his return from this last expedition he went to a place called Pueblo, on the Arkansas River, at the foot of the Rocky Mountains, but he returned shortly after and made a trip to Georgia, after which he came back to Missouri in 1842. In 1846 he left for the then little known region of the Pacific Coast, and after enduring the thousand and one hardships incidental, to crossing the plains at that early date, arrived at the hospitable gates of Sutter's Fort, September 5, 1846. He now returned to meet his fellow-immigrants, whom he had left at Fort Hall, and falling in with them at the place where the town of Wadsworth now stands, on the Truckee River, accompanied them into the sloping valleys and rolling foot-hills of California, once more arriving at Sutter's Fort, in the month of October. He here joined Fremont's Battalion, Company C, Captain Granville Swift, and J. C. Baldrige, Lieutenant, and with it served until 1847, when he entered the quartermaster's department of the regular army, where he was civilly employed. In the fall of that year he was engaged by Governor Mason and Secretary of State Halleck to carry the United States Mail from Monterey to San Francisco, which he did until June, 1848. And now there was no doubt that the cañons of the Sierras teemed with gold; therefore, Mr. Patterson proceeded to the American River, and embarked in the exciting pursuit of gold-hunting. By the fall of that year he had drifted down to the Tuolumne Mines, where now is the town of Sonora; but at the end of six months left to winter in the Pueblo de San José. In the spring of 1850 he kept a feed and livery stable, in partnership with his brother, in Stockton, and in the month of March of the same year removed to the Las Pocitas Rancho of Robert Livermore, where he remained until March, 1851, building a house, however, during 1850, on the property now known as "Negley's Place," two miles from the spot now called Bantas. In June, 1851, Mr. Patterson returned to Missouri, and thence visited his birthplace in Tennessee, returning to Missouri in 1852; and there, with his brothers, A. J. and D. C. Patterson, he fitted out a freight team for Salt Lake City and California, where they arrived in the latter half of the same year. Having remained

in the Golden State until November, 1853, at that time we find our subject once more returning to Missouri, where, in the following spring, he fitted out another train for Salt Lake and California. The journey from the first-named place was undertaken by way of the Sink of the Humboldt, and here commenced a series of misadventures that culminated in their being obliged to leave thirty new wagons on the desert between the Humboldt and Carson Rivers, on account of the live-stock being taken sick. Leaving a brother in charge of the train, Mr. Patterson pushed on to the Livermore Valley in a wagon; there he settled and commenced operations on his present place in October, 1854, since when he has been engaged in pastoral and agricultural pursuits. Married in Independence, Missouri, April 12, 1852, Miss Kate Simpson, a native of Tennessee, and has had seven children, only two of whom survive, viz.: Charles T. and Susie (now Mrs. Davis). Those deceased are: Nellie, Lee, Frank, Andrew, and Willie.

CIPRIANO PEDRINI.—Was born in Switzerland, February 18, 1832, and there resided until the year 1851, when he emigrated to the United States, and lived in the city of New York until the 7th of September, on which date he sailed for California by way of Panama, landing in San Francisco on October 7, 1851. At the end of three weeks he went to the mines in Yuba County, but in 1853 returned to the Bay City. In the spring of 1854 he proceeded to Garden Valley, El Dorado County, opened a store, and conducted it for twenty years, when, selling out in 1877, he came to Alameda County, located at Temescal, and built the block in which he carries on his grocery business. Married in San Francisco, December 27, 1861, Miss Mary Broner, a native of Switzerland, and has three children, viz.: Joseph M., Louisa J., and William C.

THOMAS HAMEL PINKERTON, M. D.—Was born in Middlesex County, Massachusetts, June 20, 1817, and is the son of Archibald and Frances (Walker) Pinkerton. At the age of nine years he was taken by his parents to Andover, Essex County, in the same State. At the end of three years they moved to Lynn, in the same county, where he resided three years more, and then moved to West Cambridge. In 1838 the subject of this sketch moved to Watertown, Massachusetts, whence, in 1841, he went to Boston and resided until 1855, in which year he entered the Harvard Medical College, from which he graduated in 1859. He now practiced in Boston until September, 1860, when he came to California by way of Cape Horn, arriving in San Francisco January 5, 1861. After a sojourn of two weeks there, he proceeded to Virginia City, Nevada, and after practicing for awhile, was elected City and County Physician, a position he held for five consecutive years. Under his *régime* the County Hospital there was erected, while, about the same time, he was appointed by the Government United States Contract Surgeon for the State of Nevada, the functions of which he performed during the years 1864 and 1865. In November, 1866, he married Miss Mary Josephine Atwill, and moved to Oakland, where he commenced the practice of his profession, and where he still resides. Dr. Pinkerton was elected Physician to the city of Oakland in 1869, and in the following year was called upon by the suffrages of the people to fill the position of Health Officer, an office he successfully filled for four years. He has been also President of the State Medical Society; was one of the incorporators of the Alameda County Medical Association, and was its first President; and, indeed, has held many high positions in medical circles. An excellent portrait of the Doctor will be found in this volume.

CHAS. A. PLUMMER.—Was born in Boston, Massachusetts, October 16, 1841, and there resided until December 23, 1852, when, with his mother and brother, he sailed on the ship *Golden West*, Captain Curwin, *via* Cape Horn, to join his father, who had preceded him three years, in California; and after a tedious voyage of four months, landed in San Francisco April 13, 1853. Mr. Plummer now went to the Happy Valley School two years, a low, tumble-down building on Minna, near Second Street, James Denman principal, and surrounded by sand-hills, and at the age of fourteen years commenced the battle of life. In September, 1858, he proceeded, in

the salmon-fishing trade, to Eel River, Humboldt County, where he remained until January, 1861. Returning to San Francisco, he entered the service of E. D. Heatley, with whom he remained two years in the grain-shipping business, after which he went into the coal and wood trade until March, 1865, when he came with his father to Washington Township, Alameda County, where the latter had established himself the year preceding, in the Crystal Salt-works, near Newark, and now superintended by J. A. Plummer, Jr. Our subject remained on the above works until September, 1872, in which year he established himself where he at present resides. In November, 1870, accompanied by his father, he returned to the Eastern States, by way of Panama, and after a stay of two months came back overland to his former home near Newark. In 1872 he established himself on his extensive salt-works, located a mile south from Alvarado, where, in partnership with his brother, John A. Plummer, Jr., he is engaged in the manufacture of salt, owning two salt-works—one near Alvarado, the "Turk Island" Salt-works, and the other the Crystal Salt-works, near Newark—the firm name being Plummer Brothers. Mr. Plummer is a member of the Washington Township Pioneer Association, and Noble Grand of the Alvarado Lodge, I. O. O. F. Married September 24, 1874, Miss Annie M. Miller, a native of New York, and has no issue.

JOHN ALLEN PLUMMER, Jr.—Was born in Boston, Massachusetts, June 3, 1839, and is the son of John A. and Elizabeth E. Plummer. He received his education at the Lexington Academy, and on December 14, 1852, set sail from Boston in the clipper ship, *Golden West*, around Cape Horn to San Francisco, where he arrived on the 20th of April, being one hundred and twenty-six days on the voyage. Here, joining his father, with his mother and brother, they took up their residence in San Francisco until 1858, when our subject moved to Eel River, Humboldt County, and engaged in salmon-fishing. In December, 1860, he returned to the Bay City, where he became grain inspector and shipper for E. D. Headley until July, 1864. Mr. Plummer afterwards went to Santa Clara, and for several months was in charge of a flouring-mill there. In 1866 he returned to San Francisco, at the request of I. Friedlander, who took him in his employ as grain inspector, shipper, and clerk, there remaining until March, 1870, when, resigning his position, he came to reside at his present home and carry on the Crystal Salt-works, which had been established by his father in 1864. A full history of this enterprise will be found in its proper place. Mr. Plummer married May 3, 1868, Miss Gertrude Blaney, and has two children: Crystal and Walter.

HERMANN POHLMANN.—Was born in Germany, April 10, 1855, and there resided on a farm until 1871, in which year he emigrated to the United States, and settled in the State of Nebraska. In 1875 he came to California, located in San José, and resided there six years; was in business there three years. In March, 1882, he took possession of the Twelve-mile House, on the San José Road, where he has four acres of ground, and at present resides.

WILLIAM POINSETT.—This old settler, whose portrait appears in this work, was born in Burlington County, New Jersey, February 1, 1830; there received his education, and resided on a farm until he attained the age of twenty-two years, at which period he came to California, sailing from the city of New York on July 6, 1852, by way of the Nicaragua Route, and arriving in San Francisco on the 2d of August of the same year, the trip being made in the remarkably short space of twenty-seven days. A short time after landing he crossed the bay to what is now Alameda County, and found employment at Alvarado, but at the end of sixteen months he rented land and embarked in farming operations on his own account, where he continued until the fall of 1856, when he removed to San Pablo, Contra Costa County, and until 1858 followed the like occupation there. He then moved his family to Berkeley, where he has since made his home. Mr. Poinsett has under cultivation about six hundred acres of land, which is leased, and the thriftiness of his surround-

ings shows the good practical farmer that he is. He has paid out sixty thousand dollars as rent for land leased in fifteen years past. He has held the position of Town Councillor of Berkeley, but has never aspired to other public functions, being contented with his lot as a tiller of the soil; indeed, he has never had any other ambition; and, strange to say, he is one of the very few that, on first arrival in the country, did not tempt fortune in the gold-producing regions. It is such men as he that help to make a country like the United States what she is. By an honest and upright course of action through life, he has earned the well-deserved respect of his fellow-citizens, and his own honesty has brought, not only a fair share of this world's goods, but the contentment only to be gained by a knowledge that he has won the praise of "Well done, thou good and faithful servant!" He married in Oakland, October 28, 1858, Mrs. Horner, adopted daughter of Joseph H. Coombs, formerly District Attorney of Alameda County, and has a family of five children, viz.: Harvey, Elwood, Alice, William, and Anna May.

RICHARD T. POPE.—Was born in Plymouth, Massachusetts, May 25, 1824, learned the trade of carpenter, and resided there until he made up his mind to face the trials of a journey to the newly discovered gold-mines of California. On March 10, 1849, Mr. Pope sailed out of New York Harbor, on board the bark *Mallory*, via Cape Horn for San Francisco, where he arrived on the 13th September. He at once proceeded to the Mariposa Mines, and there was engaged with pans and pick until 1854, in the fall of which year he came to Alameda County, and located on the farm now owned by J. P. Smith, in Livermore Valley, where he followed stock-raising as an occupation, and resided for eleven years. Selling out in 1865 to Sanders Simpson, he moved farther up the valley and purchased his present property of one hundred and sixty acres, to which, however, he has since added, until his possessions now comprise fully three thousand acres. Mr. Pope is principally engaged in sheep-farming, his stock on hand numbering twenty-five hundred head. He was once elected to the office of Justice of the Peace, but declined to serve; while he lives, it may be said, a happy and contented life, although it is one of single blessedness.

JOHN PROCTOR.—Was born in Lancashire, England, May 1, 1812, and there resided until he attained the age of eighteen years. Then taking passage at Liverpool, he sailed for the United States, and arrived in New Orleans in April, 1830. He at once proceeded up the Mississippi in the first steamer that ever plied on the mighty "Father of Waters," and settling in Monroe City, Illinois, there followed farming until making up his mind to come to California. Accompanied by his wife and three children, he sailed from New York, and making the journey via the Nicaragua Route, arrived in San Francisco December 18, 1853. Coming direct to Alameda County, Mr. Proctor located on the eighty-acre tract on which he now resides, situated about two miles from Centreville, where he is engaged in general farming and fruit-raising. Married to Nancy Monks, a native of Lancashire, England, and has three surviving children, viz.: John T. Monks, Eliza Ann, and Alice E.

JOHN HARVEY PROWSE.—Was born near Galena, Jo. Daviess County, Illinois, October 12, 1843, and is the son of Thomas and Elvina (Bradshaw) Prowse. Having resided with his father and mother until he reached the age of twenty years, in the year 1864 he emigrated to Montana Territory, and embarked in mining operations, stock-raising, and finally, after four years, came to California, settled on his present ranch of two hundred and sixty-five acres, and is now engaged in general farming and cattle-rearing. An excellent portrait of Mr. Prowse will be found in this work. Married, December 24, 1873, Miss Sophonia Jackson, and has: Ellary E., Thomas H., and Winnie.

C. J. PULLEN.—Was born in Monmouth County, New Jersey, August 12, 1848, and there learned the trade of machinist and engineer. He left the Eastern States November 10, 1871, for California, and on arrival first located in San Francisco,

where he remained working at his calling for ten years, during a portion of which time (six years and a half) he was chief engineer of the cable road of the Clay-street Railroad Company. On October 1, 1881, he came to Alameda County, located in Livermore, leased the Livermore Hotel, added considerably to it, and has made it one of the best hostleries in the county. It is situated at the corner of Main and Lizzie Streets, opposite Mill Square. He married in San Francisco October 13, 1875, Miss Julia A. Barss, a native of Placerville, El Dorado County, California.

PETER PUMYEA.—The subject of this sketch was born in Fulton County, Illinois, May 17, 1844, and there resided on his father's farm until coming to California, in the spring of 1854, being accompanied thither by his father, mother, three brothers, and four sisters. A month's voyage by the Panama Route, from New York, landed them in San Francisco, on June 16, 1854, whence the family proceeded to Marysville, Yuba County, where our subject was engaged in farming until 1865. He then came to Oakland and entered the Brighton College for two years, when he returned to Marysville and became the proprietor of the New York Livery Stables, and there continued in that business until the year 1873. At that time he came to Oakland, and, purchasing an interest in the Newlands Stables, has ever since been one of its proprietors. In 1876 Mr. Pumyea was elected to the distinction of one of the Board of Supervisors of Alameda County, and served with credit alike to himself and his constituents until 1879, being for two years chairman of that body. Thenceforward he gave his attention to the livery business; but knowing his capabilities so well, he was, on October 3, 1881, selected by his fellow-citizens to fill the responsible office of Chief of Police, the functions of which he continues to carry out with a marked degree of efficiency, making for the city of Oakland the most efficient, energetic, and in every way capable Chief she has ever had. To know Mr. Pumyea is to appreciate his sterling merits, while to have official and private dealings with him is to learn his manly worth, and recognize his unimpeachable character. He married in Jackson, Amador County, January 23, 1877, Miss Lovine Turner, a native of Ohio, by whom he had a child, now deceased.

JOSEPH RALPH (deceased).—Was born in New Jersey, in the year 1819, and there resided with his parents until he attained the age of twenty-three years, at which time he went into the hotel business in New Egypt, Ocean County, in the same State. There he remained until 1852, when he left for California, by way of the Nicaragua Route, arriving in San Francisco in August of that year. He immediately crossed the bay to what is now Alameda County, and settling in Washington Township, opened a hotel in Union City, which he conducted until 1854, when he acquired the ranch of one hundred acres, near Alvarado, where he resided until his death, on May 20, 1876. Married in New Jersey, in 1842, Miss Fanetta Horner, by whom there are four surviving children, viz.: William T., Ivens, George C., and Francis.

HON. R. A. REDMAN.—Flavius Josephus, the ancient Jewish Historian, says, in speaking of the creation of man (Book I., chap. 1), that "Adam, in the Hebrew tongue, signifies *one that is red*, and the first man being made of *red earth* was therefore called Adam." Messrs. Nott & Glydon, in their "Types of Mankind" (page 573), admit that the word, *ADAM*, consists of two words, which, when applied to man, signify *red man*. The subject of this sketch, therefore, may justly claim to be a *direct lineal descendant* of the "first family" of Eden. His American ancestry, however, dates back to the times of Lord Baltimore, in the early settlement of Maryland. Dr. Joshua Winn Redman, the father, was born near the City of Baltimore, and was graduated in medicine, at Transylvania University, Lexington, Kentucky, in 1821, when he married Miss Jane Redman, a distant relative, and connected with the Breckenridges of Kentucky. About this time that portion of Missouri which had been ceded to the United States from Spain, as part of the Louisiana purchase, was attracting much attention, and Dr. Redman, with his young bride, removed to St. Louis, and thence to the border town of Franklin, in the county of Howard, on the

Missouri River, where he afterwards became distinguished as a physician, a man of fine military attainments, and for many years a leading Democrat, representing his county in the State Legislature, he was regarded as a man of unusual ability, an able debater, and of great personal courage. After abandoning the practice of medicine, which he had followed for twenty years, he took up that of the law, having also studied that profession in his younger days. It was said of him not long since, in a Missouri paper, that he was at one and the same time, a Colonel, a Doctor, a Lawyer, a Notary Public, a Justice of the Peace, and a Postmaster. He was afterwards a Brigadier-General, and commanded a brigade on the field at the time of the "Mormon difficulties" in Missouri. He was likewise the first County Judge of Santa Clara, in this State, having been elected to that office in 1850, for the term of four years, and died in Santa Clara in 1857, having amassed a considerable fortune. The town of "Old Franklin" was located on the north bank of the raging and ever-changing Missouri River, surrounded by dense forests, filled with wild and savage Indians, and was the semi-annual rendezvous for Santa Fé traders, mountain trappers, speculators, etc. It was at this place that Rezin Augustus Redman was born, January 8, 1829, and where he spent his early boyhood, much of the time being wasted in fishing, hunting, etc., having lost his mother at the age of eight years. He then became an inmate of the family of his uncle, the Rev. Wm. W. Redman, then residing in St. Louis, for the purpose of receiving an education. After a residence of two years in St. Louis, he went to the Academy of Clinton, Missouri, the principal being his cousin, A. C. Redman. Whilst here at school the discovery of gold in California became a fixed fact, and Dr. Redman sent immediately for his son to go with him to the golden shores of the Pacific, and together they set out for the journey across the plains, in May, 1849, reaching the headwaters of the North Fork of the American River, in the Sierra Nevada, on pack-mules, having left the teams to follow, on the 1st of August, 1849, when they went to work mining, with wash-bowl, knife, and spoon, and continued this quite successfully for three months; thence they went to Sacramento, and remaining a few weeks there, proceeded to San Francisco. About this time the first Legislature met at San José, to which place they made up their minds to go and spend the winter. As they sailed out from San Francisco, in a small whale-boat, for San José, and looking towards the east across the bay, towards where Oakland and her suburbs now stand, with their fifty thousand inhabitants, there was not a single hut nor a sign of human habitation to be seen, so far as the eye could reach. Dr. Redman immediately entered upon the practice of the Spanish law at San José—the son doing at the time clerical services in the office, at the same time studying Spanish law, and trying to fathom the mysteries of old Spanish documents—until, as has been seen, Dr. Redman was elected County Judge; R. A. Redman was then appointed Deputy County Treasurer under the "old pioneer," John M. Murphy, Esquire. In December of 1850, our subject concluded to return East to complete his education, and then come back to San José. Taking leave of his father, he proceeded to Mexico; thence to New Granada; thence to Havana, Cuba, where he spent the winter; returning to Franklin, *via* New Orleans, in 1851, where he entered into the mercantile business as copartner in the firm of Powell & Redman, and afterwards as copartner in the mercantile house of A. Lory & Co. In 1852 this firm sold out, two of the partners coming to California, viz.: A. Lory, now of El Dorado County; and C. E. Wilcoxon of Sutter, now a member of the State Board of Equalization; and Mr. Redman going to the University of Louisville, Kentucky, where he attended the sessions of 1852 and 1853. At the close of the session of 1853, in March, Mr. Redman made a tour of the Atlantic States as far west as Council Bluffs, and east again into Canada; thence from New York to the West India Islands; and thence, *via* Panama, to San Francisco, at which place he arrived in July of that year. A few months afterwards he entered the law office of Hoge & Wilson for the purpose of familiarizing himself with local practice. In 1854 Mr.

Redman was admitted to the bar of the Supreme Court, and in a short time opened an office in San José. In 1858 he was elected to the State Senate for the Fourth District, which then comprised Alameda and Santa Clara Counties, his term of office expiring December 31, 1860, at which time he removed to San Francisco, and entered again upon the practice of the law. Mr. Redman came to Oakland to reside in 1872, but kept his office "over in the city" until 1874, when he was appointed Court Commissioner by Judge S. B. McKee, which office he resigned in 1878, to accept that of County Judge of Alameda, to which he had been appointed by Governor Irwin, on the resignation of S. G. Nye. This office he held until by the New Constitution County Courts gave place to the Superior Courts, since which time Judge Redman has been engaged and still is in the practice of law. He has not been out of the State for thirty years, except to the Pacific Coast States and Territories; and having made and spent a large amount of money in that time he may be truly said to have "seen the elephant," and being blessed with a good memory and some literary attainments, doubtless could furnish interesting accounts of the changes which time has wrought. Judge Redman ranks amongst lawyers of the first class, and stands well with his brethren of the bar. This sketch would be very incomplete if the following were left out, viz.: that he has known his wife ever since she was a child seven years old, and all that time in California, she also being a "forty-niner." They have eleven children. He was married on the 2d day of January, 1860, in Santa Clara County, to Miss Bettie Bascom, daughter of the late Dr. Louis H. Bascom of San José, and niece of the distinguished American orator and divine, Bishop Henry B. Bascom of Kentucky. Mrs. Redman is a native of that State, coming across the plains in 1849, with her father, at the age of seven years. She was educated at the old "Bascom Institute," in San José—a lady of superior natural talents, highly cultivated, and a devoted wife and mother. In religious belief Judge Redman and wife are converts to the Roman Catholic Church. An excellent and characteristic portrait of the Judge will be found in this volume.

• WILLIAM W. REID.—Was born in Dundee, Forfarshire, Scotland, February 13, 1832, and there was educated in the famous parochial schools of that country. In the year 1852 he sailed from Liverpool to the United States, and arriving in San Francisco in December, there remained until the following February, when he went to the mines in Tuolumne County and toiled in the neighborhood of Sonora and Columbia, as well as on Brown's Flat. Proceeding to Santa Cruz in July, 1853, he there invested in a crop of potatoes, but the venture proving a failure he entered the employ of Davis & Jordan, who were about to start a limekiln, and while with them broke the first ground for kiln purposes in that county. In June, 1854, he came to San Leandro on a visit, and in the fall of that year returned to the mines in Tuolumne County, where he remained until June, 1855, when he went back to San Leandro and was variously employed until the fall of the year, when he once more hid himself unto the mines. Mr. Reid thus continued working in the mines during the winter months and in summer at farming in the vicinity of San Leandro, until the fall of 1857, when he bought out the harness business of Edward Morgan there, where he has since continued. He has served as Town Trustee for three years, and is the President of Union Hose Company No. 1, of San Leandro. Married, December 6, 1857, Miss Hannah McKenn, and has: Celestine, William J., Emily, Charles, Clara, and Jessie, the two last named being deceased.

HILAIRE REMILLARD.—Was born in Lower Canada, December 18, 1833, and there resided with his parents until 1852, in which year he moved to Boston, Massachusetts, and there embarked in brick-making, which he followed until 1854. He then emigrated to California via the Nicaragua route, and arriving in San Francisco February 17th of that year, at once proceeded to the mines in Nevada County, where he remained until 1860. He now came to Alameda County, and at the time of the Idaho excitement, proceeded to that territory, but returning after an absence of two

years, he settled in Oakland and commenced the manufacture of bricks there, an occupation he still follows. Married in 1868, Miss Eveline Lavoux, and has one child named, Eveline.

CHARLES H. RICE.—Was born in Belfort, France, October 11, 1831, and is the son of John J. and B. (Schodel) Rice, but at five years old was taken by his parents to the United States, and locating in New Orleans, there resided until 1850. In that year he came to California, and embarking in his trade of butcher in San Francisco, there continued until 1863. At this time he moved to Nevada, and followed the same business in Virginia City, where he remained until 1867, when, coming to Alameda County, he settled in the same occupation in Oakland, and, in 1872, formed a copartnership with James J. White, in the butcher business, the firm now doing business at Nos. 2 to 6 City Market. Married in January, 1857, Miss Jennie Francis McNamara, and has four surviving children, viz.: Octavia, Charles, George, and Edward.

EDWIN A. RICHMOND.—Was born in Taunton, Bristol County, Massachusetts, December 16, 1837, and there learned the trade of machinist, and resided until 1858, when he proceeded to Canada, and dwelt there for two years. At this period he took passage at New York on board the ship *Twilight*—the only other passenger being a son of the world-renowned P. T. Barnum, of "wonders" notoriety—and after a voyage of one hundred and nine days, landed in San Francisco May 2, 1860. He was here joined by a brother from Santa Clara County. Mr Richmond now engaged with L. A. Gould to proceed to Virginia City, Nevada, to set up engines, which being accomplished, he returned to California, and after a short stay in Sacramento, came to Alvarado and found employment as engineer of C. J. Stevens' grist-mill. At the end of three years he moved to San Francisco, and two years thereafter proceeded to the Black Diamond Coal Mines, in Contra Costa County, where he worked at his trade for a twelvemonth. Our subject next took charge of brass-finishing in H. Adam's shop, Sacramento, and subsequently returning to Alvarado, there took up his domicile and has since resided. In 1877 he was appointed Postmaster of Alvarado, and agent for Wells, Fargo & Co., while he has held the office of Justice of the Peace, for the past six years. Married July 3, 1872, Miss Lizzie Butterwerth, a native of England, and has four children, viz.: William B., Edwin A. Jr., Allen B., and Ralph W.

JOHN J. RISER.—This pioneer of California, was born in Würtemberg, Germany, June 4, 1824, and there resided with his parents until the year 1831, when they emigrated to the United States, and first settled in Ohio. At the end of a twelvemonth they fixed their residence in Richland County, in the same State, and finally, in 1840, located in Marion County, where our subject learned the boot and shoe maker's trade. In 1842 he moved with his brother to the State of Illinois, and after residing for a time in Hancock County, transferred his abode to Quincy, Adams County. At the end of one year and eight months he returned to Hancock County, and in 1844 paid a visit to the Atlantic States, returning in 1845, and joining his brother in his labors. In the following year, 1846, on the declaration of war between the United States and Mexico, Captain James Allen, of the First Regiment of Dragoons, received instructions from Colonel Kearney, commanding the troops at Fort Leavenworth, to visit the Mormon camps, and accept the service for twelve months of four or five companies, for service in Mexico, this force to unite with the Army of the West at Santa Fé, and be marched thence to California, where they would be discharged. On July 16, 1846, five companies of over four hundred men, all told, were mustered into the service of the United States at Council Bluffs, Iowa Territory, and in the ranks of Company C, James Brown, Captain, was the subject of this memoir. With his enlistment commenced a series of hardships, which Mr. Riser encountered cheerfully, and without complaint, as became a true soldier. The march from Santa Fé, through what is now called Arizona, into California, was a continued succession of privations; the weak succumbed, only the robust sur-

vived. During this march of a thousand miles, stragglers were many, and the famished not a few. On July 16, 1847, the battalion was mustered out of the service, and re-enlisted for eight months. At the end of enlistment, he, with twenty-three others, made a wagon-road to Salt Lake City in 1850. Mr. Riser established himself as a permanent resident of this State, although he paid a two year's visit to Utah between 1848 and 1850. On the 11th day of April of the latter year, he started to cross the plains to California by ox-team, and arrived July 7th. During that summer he stayed in the vicinity of Sacramento, after which he moved to Auburn, El Dorado County, and there remained until June, 1851, when he came to Alameda County and commenced farming. In October, 1854, he acquired his present property, comprising eighty-five acres, and situated in Washington Township, where he is now residing. Mr. Riser married December 25, 1848, Helen R. Allen, a native of the State of New York, and has: Catharine, George C., Charles W., May Belle, Franklin A., and Helen R.

WILLIAM ROBERTS.—Was born in Liverpool, England, December 3, 1830, and at twelve years of age commenced a seafaring life, which he abandoned on coming to California. Arriving in San Francisco, March 27, 1850, he went direct to the mines in the vicinity of Marysville, Yuba County, but finding the water too high for mining, he returned to the neighborhood of Sacramento, where he remained one month, finally going back to the Bay City, where he commenced lightering. In October, 1850, he moved to Alameda County, and two years thereafter commenced business at Roberts' Landing, previously known by the name of Thompson's Landing, the land being purchased from the State. In 1853 he settled in San Lorenzo, where he now resides. Married, June 21, 1864, Miss Ellen M. Davenport, a lineal descendant of the Pilgrim Fathers, and has: Alice L., Andrew G., Caroline N., Ellen D., and Hattie E.

CHARLES KINGSLEY ROBINSON.—The subject of this sketch, formerly Mayor of the city of Oakland, was born in Mount Morris, Livingston County, New York, January 16, 1835. At the age of three years he was taken by his parents to Michigan, who were among the organizers of Genesee County in that State. Having resided on the farm with his parents until he became seventeen years old, he then entered the Albion Seminary, Michigan, where he passed two years; he subsequently spent two years at Oberlin, and afterwards entered Antioch College, then under the famous Professor Horace Mann. From this seat of learning Mr. Robinson graduated in the literary department in June, 1857. He now essayed the difficult task of "teaching the young idea how shoot," and taught school for one year, after which he went to Detroit and studied law in the office of Howard, Bishop & Holbrook for a twelvemonth, thereafter taking a regular course in the Ann Arbor Law School, from which, in April, 1860, he graduated. Mr. Robinson then located in East Saginaw, Michigan, engaged in the practice of his profession, and resided there fifteen years. In 1861 he was appointed by President Lincoln United States Land Office Receiver, and performed the duties of the office up till the time of the President's death. He was married in Detroit, Michigan, July 3, 1861, to Miss Carrie M., daughter of Warren Williams of Connecticut, and has had a family of three children, viz.: Charles R. (deceased), Lillie L., and Inez L. In January, 1866, he opened a banking-house in East Saginaw, under the firm name of C. K. Robinson & Co., he previously, however, having served as Cashier of the First National Bank of that town. He continued his banking-house till 1872, when it was merged into the Second National Bank of East Saginaw with Mr. Robinson as President for one year, from which position he afterwards retired, remaining, however, on the directorate of the bank. He now concluded to change his location, therefore, after spending two years in winding up his business, on January 4, 1875, he started for the sunny slopes of the Pacific. In the same month he arrived in Oakland, where he has since remained, devoting himself chiefly to literary pursuits. In March, 1882, Mr. Robinson was elected to the office of Mayor of the city of Oakland, a distinguished position which he filled with much credit.

HON. HENRY ROBINSON.—The subject of this sketch was born in Chesterfield, Hampshire County, Massachusetts. At an early age he removed with his father, Captain Josiah Robinson, to the adjoining town of Worthington, where he passed his youth engaged in farming, clerking in a store, and teaching school. He sailed for California in January, 1849, and arrived in San Francisco the following August. Shortly after his arrival he went to the northern mines, and, until 1854, was engaged in both mining and trading, often employing from twenty-five to fifty men in mining, and keeping one and sometimes two stores. Close application to business undermined his health, and he sold out his trade in the fall of 1854, and went east in search of health. Failing to find it he returned to California and located in Marysville, remaining, however, but a few years, and his health becoming no better he removed to San Francisco, and the following year to Alameda, where he engaged in farming and fruit-culture, and where he still resides. In Marysville in 1856 he took an active part in the Republican reform movement of that year, it being the first national campaign of the Republican Party. The second year after locating in Alameda he was elected a member of the Board of Supervisors to represent both Alameda and Brooklyn Townships. The following year he was elected to the Assembly, and in 1865 he was elected to the Senate from Alameda County. He was President of the Board of Town Trustees for several years after the incorporation of the town of Alameda in 1872.

JESSE ROBINSON, M. D.—Was born in Hartwick, Otsego County, New York, August 28, 1825, where he received his early scholastic training and resided until he attained the age of eighteen years, when he went to Woodstock, Vermont, entered the medical school there, and after a course extending over three years graduated therefrom in 1846. In the fall of that year he proceeded to Lee County, Iowa, there commenced the practice of his profession, and resided until April, 1849, when being led captive by the seductive cry of gold, which rang from the Pacific to the Atlantic shores, he joined a train with ox-teams, accomplished the weary and dreary journey, and finally arrived in California, at Lawson's Ranch, in September, 1849. After trying his luck in the mines, and traveling about the State for some time, we find him in December, 1850, present at the organization of Shasta County, and at the election held there for public officers, was chosen its first County Clerk. In the following summer he purchased a farm in Scott Valley, Siskiyou County, and commenced stock-raising. In the spring of 1853 he removed to Southern Oregon, engaged in a packing, saw, and grist mill business, and there continued until the fall of 1861. In this year he became Quartermaster of the First Regiment of Oregon Cavalry, United States Volunteers, and accompanied his regiment in the summers of 1862 and 1863, in its expeditions through the upper Snake River country and as far east as old Fort Hall; and was stationed at Fort Dalles, Oregon, in the winters of 1862 and 1863, and at Fort Vancouver, Washington Territory, the winter following, the balance of his four years' term of service being passed at Fort Boise, Idaho Territory. Having been mustered out of service on September 30, 1865, at which time he was Chief Quartermaster of the District of Boise, he then embarked in farming operations in Jackson County, Oregon, until November 1868, when he came back to California, located in Oakland, where he engaged in various occupations until November 1880, at which time he received the position of Assessor of Oakland Township; was re-elected in November, 1882, and is the present incumbent. Married, April 27, 1854, Miss Lavinia J. Constant, a native of Sangamon County, Illinois, and has four children, viz.: Edward C., Chester L., Thomas M., and Maury.

A. P. ROSE.—Was born in Fayal, Portugal, June 13, 1830, but when thirteen years of age went to Brazil, South America. The next seven years he served as steward on board of coasting steamers, after which he engaged in mercantile pursuits for six years. At the end of this time he shipped in a sailing-vessel for Baltimore and Boston, where he landed in 1856; here he earned his living for three years as a barber. In 1860 he took steamer for San Francisco, where he arrived on November 26th of that

year, and after a month came to Alameda County, started a barber shop in Centerville, where he remained until 1867. In 1869 he embarked in farming and continued it six years, since when he has not been actively engaged in business. Is now a resident of Livermore, and leads a life of single blessedness.

FREDERICK ROSE.—Was born in Westphalia, Germany, May 19, 1826. Having resided with his parents until he attained the age of twenty-six years, our subject then sailed from Bremen for the United States, and arrived in New York in October, 1852. He afterward engaged in the grocery business in that city for five years, and in April, 1858, sailed by way of Panama for the Pacific Coast, arriving in San Francisco in the following month of May, with his brother Charles Rose. After working in a brewery for nine months, he returned to the Eastern States on business, but in the short space of twenty days, his face was once more turned towards California. On arrival he stayed for a little time in San Francisco, when he left and commenced teaming from Sacramento across the Sierra Nevada to Virginia City, and was the first to bring a load of freight to the town of Austin, Nevada. This occupation Mr. Rose followed for about four years, when he came to Alameda County, first located on the place now owned by Hon. Daniel Inman, but, November 1, 1866, settled on his present valuable property of one hundred and sixty acres, situated two miles and a half northeast from Livermore, where he is engaged in general farming and fruit-raising. Mr. Rose married in Livermore, Alameda County, California, Miss Amy Lindermann, a native of Holstein, Germany, and has eight children, viz.: Frederick C., William, Amy, John, Rudolph, August, Albert, and George W.

J. A. ROSE.—The subject of this sketch, whose portrait appears in this work, was born in Pico, Azores Islands, in the month of May, 1850. At the age of thirteen years, becoming very anxious to make the Golden State his abode, he determined to leave not a stone unturned to gain this end, but at the very outset he was faced with a difficulty that would have deterred a less staunch heart. By the laws of Portugal no youth of thirteen years was permitted to leave the country or its dependencies. To get to California, however, Mr. Rose was determined; therefore he resorted to strategy to effect his purpose. At that time he had an uncle leaving for the United States, and him he determined to accompany, therefore, in spite of the existing enactment, he resolved to conceal himself on board of the vessel, when on board ostensibly to bid farewell to his relative, and not to make his appearance until well out to sea and beyond the reach of Government inspectors. This he was successful in accomplishing, and after a voyage of seventeen days, landed in Boston, Massachusetts, in June, 1864. Twelve days thereafter he sailed for California, arriving in San Francisco in August of the same year. First settling in Brooklyn Township, Alameda County, he there worked on a farm for two years, after which he moved to the Moraga Valley, Contra Costa County, and there took contracts to supply the mills with wood. In the fall of 1868 he moved to Haywards Cañon, where he had a number of men employed in cutting wood and teaming, for the above purpose. In 1871 he transferred his residence to Murray Township, purchased from Mrs. La Grange her ranch, consisting of two hundred and fifty-seven acres, and subsequently contracted to furnish the Central Pacific Railroad Company with wood, he having as many as two hundred and fifty men engaged in procuring it. In September, 1874, he espoused Miss Josephine, daughter of Augustin Bernal, who departed this life in October, 1875, leaving an infant daughter, who died in April, 1876. In 1875 Mr. Rose purchased from Guadalupe Bernal a ranch comprising five hundred and thirty-five acres, situated about one mile east from Pleasanton, which, in 1881, he subdivided into sixteen tracts for vineyard purposes, many of which have been sold and planted in grapes and other fruits, he still possessing three hundred and fifty acres of it, one hundred and fifty acres being under grapes put in by himself in the spring of 1882. In June, 1881, he was united in marriage to Miss Sallie N. Mark, a native of Ohio, and daughter of Dr. I. N. Mark, of Pleasanton, whose portrait and biographical sketch are in this volume. In

1878 our subject purchased the property then called the "Pleasanton Hotel," which in 1880 he rebuilt, changed its name to the "Rose Hotel," and made it one of the finest hostleries in the State. Mr. Rose also owns seven hundred and fifty acres of the Bolsa Rancho, famous as having the richest and most prolific soil in the county. Thus it is that small beginnings backed by honesty, always develop into great endings. Still young and more than ordinarily energetic, Mr. Rose has a long life of much usefulness before him.

LASERY ROSENBERG.—Was born in Prussia, February, 1846, and is the son of Morris and Lena (Copenhagen) Rosenberg. When but two years of age he was taken by his parents to the United States, and resided in New York until 1856, when they moved to California and located in Oakland. Our subject now attended the Collegiate Institute of the late Rev. H. Durant until the year 1860, meanwhile residing with his uncle, Samuel Hirshberg, his father being at Iowa Hill, Placer County. In 1870 Mr. Rosenberg moved to San Francisco, attended the High School there until 1863, and then proceeding to Iowa Hill, there embarked in a general mercantile business. Remaining there until his establishment was destroyed by fire on August 31, 1870, he then returned to Oakland, and purchasing the cigar and tobacco store of Walter Smith at the corner of Seventh Street and Broadway, has since continued operations in that branch of trade. In January, 1878, he opened his present stand at No. 909 Broadway, Oakland. Married June 10, 1879, Miss Sara Wolff of San Francisco, and has two children, viz.: Herbert M. and Gladys.

MORRIS ROSENBERG.—Born in Prussia, May 1, 1817. At the age of twelve he was apprenticed to the tailor's trade, and followed it until 1848, when he emigrated to the United States and settled in New York City, where he worked at his calling until 1852, in which year he came to California by way of the Isthmus. After a delay of seven weeks in Panama, and a voyage of four months' duration, he landed in San Francisco and commenced working at his trade. Two years and a half thereafter our subject moved to Placer County and opened a general mercantile establishment at Iowa Hill, where he remained until the destruction of his premises by fire on August 31, 1870. He then settled in Oakland, where he has since resided. Mr. Rosenberg came of a long-lived stock. His maternal grandfather died at the age of one hundred and fourteen years; one of his aunts lived to be one hundred and two years old; an uncle was ninety-seven years and six months when he died, and his mother was called away from earth at the ripe age of ninety-five years and five months. Mr. Rosenberg married in 1841, Miss Lena Copenhagen, and has five surviving children, viz.: Jacob, Lasery, Charles, Theresa, and Tilla.

EDWARD ROSS.—Was born in Rhode Island, near the Connecticut line, June 26, 1822, and there resided until he attained the age of twenty-two years, when he commenced to learn the carpenter and mill-wright's trade, working at it there until starting for California. On May 20, 1852, he sailed from New York in the steamer *Prometheus*, and arrived in San Francisco June 25, 1852, *ex* steamer *Pacific*. He then came to Alameda County, and settling at Mowry's Landing, there resided until January, 1854, when he went to the southern mines for about eighteen months, subsequently returning to this section of the country and purchasing his present farm, comprising thirty-eight acres, situated a mile and a half from Newark. To Mr. Ross is due the honor of having built the first schooner in Washington Township, the *V. Aviso*, in 1868. Is a member of the Pioneer Association of Washington, Eden, and Murray Townships. Married, April 26, 1860, Miss Esthey A. Comstock, a native of New York State.

JOEL RUSSELL.—The subject of this sketch, whose portrait appears in this work, is the son of James and Dolly Russell, and was born July 16, 1822, in Waterford, Oxford County, Maine, where he resided until he attained the age of seventeen years. Mr. Russell then began the battle of life; going to Medford, Massachusetts, he alternated his time between his service as a clerk in the drug store of Luther Anger in

that place and the pursuit of his studies at Bethel Academy, in his native county, where he finally graduated with a gilt-edged diploma as a teacher. On October 30, 1849, in company with a few intimate friends, among whom was his especial friend and shipmate, W. H. Stearns, now one of the successful and long-established business men of San Francisco. He sailed in the ship *Henry Ware*, Captain Noah Nason, from Boston *via* Cape Horn, arriving in San Francisco March 13, 1850. Soon thereafter he proceeded to Stockton, where for a short time he engaged in contracting and building. There he met Captain Charles Weber, whose acquaintance he favorably made, which resulted in his receiving a deed for one hundred and sixty acres of farm land near Stockton, upon which, during the winter of 1850-51, he built a house and made the necessary preparations to cultivate the land, but owing to a failure of the early rains he abandoned his farming project, sold out and went to the Northern mines, where he spent one year, the history of which would be filled with startling encounters with Indians and other events incident to the life of the early miner; having traversed the mountain ranges from Humboldt Bay to the Columbia River, he returned to San Francisco in February, 1852. Finding himself in that "flat broke" condition then so common among the honest miners, he turned his thoughts toward the generous soil as he looked eastward across the bay, and he finally embarked on board a small sloop from which he landed the next morning at what has since been known as Mayhew's Landing, with his last cent having been expended in the payment of his fare. Near Centreville in what is now Alameda County, by dint of perseverance and personal application to hard work, he managed to procure sufficient means to enable him to rent land and embark in the farming business. In January, 1853, he settled as a squatter on what proved to be a portion of the Soto Rancho. In 1856 the title of this rancho having been confirmed to the claimants, he bought the title of one of the heirs, it being one-seventh of the ranch, which he divided up with his fellow-squatters, reserving sufficient to protect his own possessions, since which time Mr. Russell has been considered among the larger land-owners of Alameda County. During the year 1854, Mr. Russell was elected a Justice of the Peace for Eden Township, and served one term on the bench as an Associate in the Court of Sessions with Judge Crane then County Judge. His attention having been thus called somewhat to the law, he afterward made application, was examined, and admitted to the practice of law in the Courts of Alameda County. Politically, Mr. Russell was an enthusiastic Republican at the formation of the Republican Party, having cast his first vote for President for the Liberty Party candidate, James G. Birney, and in 1852 at Centreville precinct, adhering to his principles, he nominated his own electors and cast the one vote of his county for John P. Hale of New Hampshire, the free soil candidate for the presidency. He faithfully remained a Republican until the prime object of the party had been accomplished in the overthrow of that national evil, slavery. More recently he has placed his political influence in opposition to what he deems the greater national evil, intemperance and the liquor traffic, and is therefore a pronounced Prohibitionist. Mr. Russell is a man distinguished for personal qualities of a high order, commanding the highest respect of those who know him best. He married, August 3, 1856, Miss C. M. Bartlett. Their children are: Maud F., Thomas B., and Frederick James.

CHARLES B. RUTHERFORD.—Was born in Newburyport, Massachusetts, September 24, 1824, but at ten years of age went to Ontario County, New York, where he entered the Canandaigua Academy, joining it at the time that Stephen A. Douglas graduated therefrom. Two years thereafter he took up his residence with an uncle living in the vicinity of Rochester, and with him dwelt until he reached eighteen years of age. In the meantime his father, who was a Revolutionary soldier, served the full seven years and was for some time in the Government Secret Service, carrying communications between all parts of the world, and served through all the administrations from Washington to Jackson. In 1842 our subject proceeded to Boston, where

he learned the trade of painter, embarking in the business on his own account after two years. In 1849 he went to San Antonio, Texas, and there served as Quartermaster's Clerk in the Government, where he remained until July, 1852. He then proceeded through Mexico to Mazatlan, and there taking passage in the Mexican vessel *Maria*, arrived in San Francisco October 4, 1852. He at once found employment at his trade, working for ten dollars per day wages, for about six weeks, when he removed to Tuolumne County and there engaged in business for himself for nine years. After passing a twelvemonth in San Francisco, and spending a short time in San Luis Obispo County, where he resided during the year of 1863, he came to Alameda County, started in his present business and for the past fourteen years has carried it on at No. 1014 Broadway, Oakland. Mr. Rutherford was the County Public Administrator for the term 1876 to 1881. Married, in Oakland, to Miss Ellen Trover, a native of Albany, New York, and has six children, viz.: Charles F., Mary (now Mrs. J. Howland), Linda (now Mrs. Samuel Stow), Nellie, Edward, and Anita.

D. P. SACKETT, A. M. (Principal of Sackett School).—Was graduated from Yale College. Soon after graduating he became head-master of Temple Hill Academy at Geneseo, Livingston County, New York. One year thereafter he was chosen principal of Leicester Academy, Leicester, Worcester County, Massachusetts. This institution is, excepting Phillips (Andover) Academy, the oldest endowed academy in Massachusetts. Three years later he was called to the principalship of the Female College of the Pacific, Oakland, California, under the presidency of Rev. E. B. Walsworth, D. D. In August, 1871, the Golden Gate (now Hopkins) Academy was opened with D. P. Sackett as Principal. The number at the beginning was ten. At the close of the year the attendance had increased to sixty, when Mr. Sackett resigned his position to spend a year in foreign travel. Since his return to this State, in the following year, he has been mainly engaged in educational work, and for the past four years in the school that bears his name.

DANIEL MOODY SANBURN.—Was born in Lamville County, Vermont, March 30, 1827, where he dwelt until emigrating to California. February 24, 1852, he sailed from New York in the *Ohio*, but a few days after was transferred to the *Georgia*, and after reaching Panama, thence per steamer to San Francisco, where he arrived April 11, 1852. He immediately proceeded to the mines and there remained until December, 1852, when he came to Alameda County and commenced farming and stock-raising. In 1861 he settled on his present place comprising four hundred and forty-one acres. Married, November 14, 1866, Miss Elizabeth Kunz, and has one son, Benjamin Charles.

A. W. SCHAFER.—Was born in Germany, September 15, 1829. When nineteen years of age, he emigrated to the United States and settled in Pittsburg, Pennsylvania, where he followed the carpenter's trade until 1851, when he came *via* Panama to California, arriving in San Francisco March 21, 1851. He immediately proceeded to the mines in El Dorado County, where he remained, occupied in mining for eight years. Mr. Schafer now returned to Pittsburg, where he remained until 1861, which year he once more turned toward the Pacific Coast, and locating in San Francisco there resided until 1862, when he came to Alameda County and settled on his present farm, consisting of three hundred and thirty acres, where he is engaged in general farming. Married, in 1853, Miss Minnie Freck, by whom he has six surviving children, viz.: Amelia, Annie, Henry, Emma, Minnie, Willie, who are all residents of Mount Eden.

HENRY SCHELLHAAS.—Was born in Chicago, Illinois, September 24, 1850, and there spent most of his time until 1872, in which year he came to California, settling in Oakland in the month of August, and there entered the employment of P. Schreiber. At the end of three years, he purchased a half-interest in a furniture store, and established the firm of Wilbert & Schellhaas. Disposing of this business two years thereafter, Mr. Schellhaas commenced operations at No. 408 Eleventh Street, Oak-

land, and has since conducted his large store there, where his enterprise has earned for him a notoriety second to none in the State.

IVES SCOVILLE.—Is the son of Hiram and Elizabeth (Sherman) Scoville, and was born in Onondaga County, New York, March 8, 1825. Having resided there until attaining the age of twelve years, he moved to Chicago, Illinois, where he resided until the year 1863, during which time he served his apprenticeship at and acquired the trade of machinist, where his father had established a business in 1837. In 1857 our subject severed his connection with his father and brothers, and entering the employ of T. W. Gates & Co., with that firm continued until 1863, when he came to California. Locating, on arrival, in Oakland, in 1871, he established the Oakland Iron Works, situated at Nos. 511 and 513 Second Street, which he still continues. Is married, and has a family consisting of two children—sons.

GEORGE W. SCRIBNER.—Was born in Otisfield, Cumberland County, Maine, January 29, 1827, and is the son of Ivory H. and Lydia M. (Fogg) Scribner. When quite young he was taken to the city of Boston by his parents, and there he resided until he attained the age of twenty-one years. In 1849 he started for California by way of Texas, the most part of the journey being made overland; and arriving in San Francisco on the 5th August of that year, he at once embarked in the butcher's trade, which he continued there until 1856, at which time he came to Oakland, began business there, and has been so engaged since. Mr. Scribner was a member of the City Council during the years 1858 and 1859. Married, September, 1852, Miss Mary E. Canterbury a native of Providence, Rhode Island, who died in 1867. By this union there are five children, viz.: Mary A., Addie L., Walter B., Florence M., and Sadie J.

LEOPOLD SELMA.—Was born in Switzerland August 5, 1841, and at eight years of age was taken to Leghorn, Italy, where he resided until 1856, in which year he came to California. His first month in San Francisco he worked in a French restaurant on California Street, after which he proceeded to Stockton, and commenced working in a boarding-house, where he continued two months. He was for three months cooking for ranchers, then went back to Stockton, and began peddling fruit and fish, which he followed for eighteen months. We next find him cleaning saloons, but was soon promoted to be a bar-tender, at which occupation he worked four years. Our subject now got employment on a San Joaquin River boat, but, after the third trip, left her and went to Amador County, where he became waiter in the St. George's Hotel, in Volcano. At the end of a year he moved to Bear Valley, Mariposa County, and opened a restaurant, which he conducted until 1865. From there he proceeded to Middleton, Fresno County, where he tended bar for a year, and in 1866 returned to San Francisco and served in the Syvarzas Punch Factory until he became manager of the concern, during his continuance there opening a branch on Kearny Street near Bush Street. In 1872 he came to Oakland, worked as bar-tender for Mr. Becht, and at the end of two years bought out the place, and still continues it. Married, in 1870, Miss Mary Leonard, a native of New York, and has four surviving children, viz.: Etta E., Louisa, Elvira, and Leonard.

CAPT. LUDWIG SIEBE.—The subject of this sketch, whose portrait appears in this work, was born in Bremervoerde, Hanover, Germany, January 20, 1846, and there resided until 1860, at which time he came to the United States, settled in Brooklyn, New York, and there engaged in the grocery business. In 1862 he enlisted in the One Hundred and Third Regiment of New York Volunteers, and after serving with General Banks in Louisiana, and General Sheridan in the Shenandoah Valley, remained in the field until the close of the war. Captain Siebe now returned to Brooklyn, re-established his former business, and continued in it until 1867, at which time he left for California, arriving in San Francisco in the month of August, and embarked in the grocery trade. While a resident of that city our subject organized Company C of the San Francisco Fusileers Second Artillery, being elected First Lieutenant, in which capacity he served five years, when he was elected Captain of

the company, and held the position four years. He was then offered the position of Major of the Second Regiment, but owing to business affairs, he was compelled to decline, and was then placed on the retired list, still retaining his rank. In February, 1880, he leased the well-known resort of Shell Mound Park, where he has spared neither labor nor expense in making it one of the most beautiful and attractive places of holiday recreation in the State. Married in San Francisco, April 20, 1870, Miss Maggie Hoffman, a native of New York City, and has eight children, viz.: Mary, Augusta, Frederick, Muryaethen, Henry, Louisa, William, and George.

JACOB B. SHERK.—Was born in Waterloo Township, Upper Canada, July 2, 1833, and there resided until he attained the age of eighteen years, when he emigrated to Jo. Daviess County, Illinois, there located, and remained until 1854. On April 20th of that year he sailed from New York for San Francisco, *via* Panama, and arrived May 18, 1854. He at once went to mining, and followed it in Klamath and Butte Counties for eleven years, when he returned to the Bay City in the spring of 1865. He was then variously employed until May, 1872, at which time he came to Alameda County, engaged in hop-growing in partnership with B. Benedict, and still continues in that business. Married and has no issue.

JAMES SHINN.—Born at Salem, Ohio, in 1807. Resided in his native State until 1836, then removed West and lived in several Western and Southern States until 1856, when he came with his family to California, and at once settled upon the place which he now occupies, near Niles, Alameda County. Mr. Shinn has pursued the business of general farming and fruit-growing, and for some years has been extensively engaged in the nursery business in all its branches, especially in the growth of trees and plants for general orchard planting.

MANUEL FRANCISCO SILVA.—Whose portrait appears in this work, to represent the Portugese population of Alameda County, was born in the Island of Fayall, May 23, 1851, and there resided for the first ten years of his life. In the year 1861 he came to California with his parents, who settled in San Pablo, Contra Costa County, and there our subject received his education and dwelt until 1864. At that time he moved to Watsonville, Santa Cruz County, where he remained until 1868, in which year he came to Mission San José, where he completed his schooling, and afterwards obtained employment in a store as interpreter for five years. Mr. Silva now entered upon a four months' course in the Pacific Business College in San Francisco, at the completion of which he entered the employ of H. C. Gregory, in Centreville. In 1879, with the intention of there remaining, he visited his birthplace; but, returning to California, he engaged with the firm of D. C. Bane & Son, who, selling out to Dodge & Co., Mr. Silva continued with the last-named until October 15th, when he, in connection with W. W. Haley, purchased the interest of Dodge & Co., and the firm name is now W. W. Haley & Co., our subject being the junior member.

DUNCAN SINCLAIR.—Was born in Canada East, in April, 1838. When sixteen years of age he emigrated to California by way of New York and the Isthmus of Panama, arriving in San Francisco November 2, 1855. Having passed about two years and a half in the mines of Tuolumne County, he came to this county, *en route* to San Joaquin, and finally returned to Tuolumne. Mr. Sinclair subsequently returned to San Joaquin County, where he was variously employed until 1862, in which year he located at Haywards, Alameda County, and there resided until June, 1871. At this time he moved to Murray Township, located on his original farm of one hundred and sixty acres, to which he has since added until it now comprises five hundred and sixty-nine acres, on which he is engaged in general farming. He is married, and has three children: Duncan R., Annie B., and Robert Arthur.

DAVID S. SMALLEY.—The subject of this sketch, whose portrait appears in our pages, was born in Farmersville, Seneca County, New York, November 11, 1829, but when one year old he was taken by his parents to Ovid Centre, in the same county, where he resided until he attained the age of twenty-three years. His father was a farmer;

he became skilled also in that most honorable occupation. Having there received his schooling, he was prompted, as thousands were. It was not long after that he bade farewell to his friends, and on December 28, 1852, he left for California; arriving in New York, he sailed January 5, 1853, in company with Judge Charles Halsey, on board the steamer *United States*, coming by way of the Isthmus of Panama. While on the Isthmus Judge Halsey's family was taken sick, and he was obliged to remain over one steamer. The Pacific Mail Steamship Company, after nine days' delay in Panama, put four hundred and fifty human beings on board of one of their crafts, unfit to carry swine, that had not made a voyage for years. When four days out a fever broke out, caused by an odor, the worst ever endured by man, from the rotten bilge, and death ensued in all its hideous shapes, and in less than six days no fewer than a hundred of those who had stepped on board with hope in their hearts were consigned to the vast deep, never to return until the command is given to the sea to give up its dead. Add to the foregoing the sufferings caused by a terrific hurricane that lasted seven days, four of which they were water-logged, the water putting out the fires—but by the great effort of all on board they were saved—and we have an inkling of what the hardy pioneers who came to California at an early day had to contend with. After putting into Acapulco for repairs, and placing in position the large pump used several months previous in getting the *North America* off a sand-bar, one hundred miles below, the vessel proceeded on its voyage, finally casting anchor in San Francisco Bay. February 14, 1853, after a tedious passage of twenty-five days from Panama, Mr. Smalley at once came to Alameda County, and found employment where now stands the town of Alameda. There he remained till the fall of 1857, when he leased land on the Peralta Grant for one year. Subsequently selling out his interest there, he purchased the livery business of T. W. Mulford, at San Leandro, and in partnership with Samuel Davis, conducted that stable until October, 1859. At this time Walter J. Stratton acquired the share of Mr. Davis, and thus the association remained until 1865, at which period a livery-stable was opened at Haywards by them, of which our subject took charge, his partner, Mr. Stratton, remaining at San Leandro. This copartnership lasted until December, 1878, when the business association was severed, Mr. Smalley remaining at Haywards, where he is at present engaged in that occupation. He also owns about forty acres of land within the corporate limits of Haywards, and thirty-two acres more near San Lorenzo. Mr. Smalley is a member of the Washington Township Pioneer Association. He paid a visit to his old home at the East after a lapse of thirty years, in 1882. It ought to be mentioned that in 1860 he went East on a visit to the State of New York, where he was married to Miss Jane S. Dunlap, a native of Ovid Centre, Seneca County, New York, and daughter of George Dunlap, of that place. It only remains for us to say that our subject is much respected by the community in which he resides, as a man of sterling worth and honesty. His family consists of five children, viz.: Lelia M., James, Nannie, George, and William.

GEORGE SMITH.—Was born in Esopus (now Kingston), Ulster County, New York, April 5, 1822. In May, 1823, his parents settled in South Stockton, Chautauqua County, New York. At the age of sixteen he graduated at the Fredonia Academy, and received a certificate to teach in the public schools of the county. July 24, 1850, he married Miss Eliza M. Fenner, eldest daughter of the late C. C. Fenner, of South Stockton. Mr. and Mrs. Smith removed to Genesee County, Michigan, in 1856, where they were both engaged in teaching until 1858, when they returned to Chautauqua County and engaged in dairy farming. April 15, 1861, Mr. Smith started for California by way of the plains, taking the northern route, and arriving at Jacinto, Colusa County, in August of that year, where he remained until April, 1862, when he went to Suisun, and engaged in teaching for the next six months. Mr. Smith came to California for his health, which he had now entirely recovered, and being pleased with the country, sent for his wife to join him at Sacra-

mento, where she arrived in February, 1863. The Washoe mining excitement carried them with many others to Gold Hill, Nevada, where Mr. Smith engaged in transporting ore from the silver mines to the mills for the next four years. In the spring of 1867 he settled in San Leandro, Alameda County, where he and his wife yet live. In 1869 the subject of this sketch was elected Justice of the Peace for Eden Township, and served in that office four years; and after the incorporation of the town of San Leandro, he served a like term as Police Judge. He also served two terms as Trustee of the town. In 1879 Judge Smith received the nomination for the Assembly by the New Constitution Party. He is now engaged in horticulture.

HENRY SMITH.—Was born in Ashtabula County, Ohio, April 15, 1834, but when three years old was taken by his parents to Berrien County, Michigan, where he resided until 1846, when, losing his father, he moved with his mother and family to Iowa, and remained in that State two years. In 1848 he moved with his mother and four brothers to Salt Lake, and they took up their abode in that vicinity. In the spring of 1850, accompanied by his brother, Jonathan Smith, our subject started across the plains with ox-teams for California, and arriving at Hangtown (Placerville), July 10, 1850, engaged in mining for four years, save one twelvemonth he passed in Lower California, when he served as a soldier in Captain Fitzgerald's company, under General Bean. On the cessation of hostilities he returned to the mines, and in 1854 took up his residence in San Leandro. In 1864 he moved from there to his present place, where he farms one hundred and sixty acres of what is locally known as the James G. Clark Ranch, situated one mile southeast of Decoto, where he is engaged in agricultural pursuits of a general nature. Married, February 27, 1857, Miss Helen M. Fox, a native of Jefferson County, New York, and has three surviving children, viz.: Abbie A., Minnie E., Joseph H.

HONORABLE HENRY C. SMITH (deceased).—This well-known and much respected pioneer, a son of the late Major Timothy S. Smith, United States Army, was born at Fort Defiance, Ohio, October 25, 1824, but when two years old was taken by his father to South Bend, Indiana, and in 1827 to St. Joseph, Michigan. In July, 1845, he emigrated to California. He left Fort Independence, Missouri, August 12, 1845, and after passing through many perils and hardships, arrived at Sutter's Fort on Christmas Day of that year. In 1846 he entered upon military service under the celebrated Bear Flag, and served under General Fremont in his battalion, and remained in the service of the United States until peace was declared between Mexico and the United States. He was one of the first Alcaldes appointed by General Riley, Military Governor of California. In 1852 he was elected to the Legislature from Santa Clara County, and acquitted himself with much credit, and materially aided in the organization of Alameda County out of those of Contra Costa and Santa Clara. In March, 1855, he was elected a Supervisor from Washington Township; on September 3, 1855, he was re-elected to the Board, and on its organization, September 12, 1855, was chosen chairman, which position he held while he continued a member, to December 1, 1856, when he was succeeded by Joseph R. Mason. In 1859 he was the candidate of the Democratic Party for County Clerk, but was unsuccessful, his opponent, Joseph R. Mason, being elected by a majority of thirteen votes. In 1861 he removed to the State of Nevada with his family, and remained there till the summer of 1864, when he returned to Alameda County. While in Nevada he ran for the Assembly, but was defeated. In 1867 he removed to Livermore Valley, where he settled on a quarter-section of Government land, and continued to reside there until within a few weeks of his death. He was elected a Justice of the Peace for Murray Township in October, 1871, and assumed the duties of his office on January 1, 1872. He resigned in December, 1872, and died in Livermore November 24, 1875. Mr. Smith was a very genial and warm-hearted man, who never tired of serving his friends and making himself useful in the community. Married in California in the year 1846, Miss Mary Vangorden, a native of Niles, Michigan, and left a family

of four children, viz.: Julia A., Emma L., Franklin Pierce, Charles Henry. The eldest is now Mrs. F. Hargrave.

HENRY T. SMITH.—Was born in Granville, Putnam County, Illinois, February 27, 1844, and there resided and attended the common schools until 1862, when, at the call of his country, he enlisted in Company H, Twentieth Illinois Infantry, for three years, being assigned to General Sherman's division. He took part in all the engagements in which his regiment participated, through the memorable campaign of Sherman's march to the sea. At the expiration of his term of service he was discharged, July 24, 1865. He then returned to his native State, and followed the carpenter's trade for two years. After a residence of eight years in La Salle County, he moved to Oregon, and in November, 1872, came to California, and located in Oakland, and followed his trade until August, 1877, when he was appointed on the city police force of Oakland, a position he held until January 10, 1880, when he resigned and moved to Arizona, where he sojourned some eight months, and again cast his lot in Oakland, where he still resides, and is engaged in the insurance business, taking charge of the Oakland Home Fire Insurance Company of Oakland on February 4, 1882. Mr. Smith was united in marriage, November 14, 1867, to Mary J. Dagen, a native of Ohio, by which union they have three daughters: Susie M., Rubie, and Jessie B.

LEONARD SMITH.—Was born in Frederick County, Maryland, September 16, 1819. Having resided in his native place until he attained the age of twenty years, at that time he emigrated westward, and after residing in St. Louis, Andrew, and Buchanan Counties, Missouri, in 1849 he came to California. Mr. Smith first located at Auburn, Placer County, where he mined; also at Nevada, Grass Valley, and Ophir, when he returned to the State of Maryland. He then removed to San Antonio, Texas. He found himself once more in California, and settling in Oakland in 1872, opened a stationery, book, and variety store, under the firm name of M. S. Smith & Co. Married in 1864 Miss Mary S. Lyon, of Virginia, and has two children, twins, viz.: John Francis and Charles Leonard.

LEWIS CASS SMITH.—Was born in Berrien County, Michigan, August 15, 1830, and is the son of Major Timothy S. Smith, United States Army, one of the revolutionary heroes of 1812, who emigrated to California in 1854, and died in Alvarado, his remains being buried at Centreville in 1863. The subject of this sketch, after having passed his earlier years on a farm, on June 4, 1851, left for California with his brother, the late Hon. Henry C. Smith, and sailing from New York, made the voyage to Chagres on board the *Prometheus*, and thence crossing the Isthmus to Panama on mules, concluded the voyage in the *Sea Bird*. On arrival at Monterey his sister was so ill with fever contracted at Panama that it was thought advisable to land at that place. This was in the early part of August, 1851. After a sojourn of two weeks in the ancient capital, the journey was continued to his brother's residence at Mission San José, where, residing but a short time, our subject proceeded to Stockton, and took charge of his brother's vegetable store for three months. Returning then to Alvarado, he engaged with Henry C. Smith in mercantile pursuits for a year, when he went to the mountains and embarked in stock-raising, an occupation he followed for ten years. After this he purchased his present property, comprising about five hundred acres, where he combines general farming with beet and vegetable growing. Here he has erected a handsome residence, and enjoys a state of single blessedness.

JAMES DALE SMITH.—Whose portrait appears in this history, the only child of John and Elizabeth Smith, was born in the parish of Kilmars, near Kilmarnock, in Scotland, on the 19th of September, 1845. In 1848 his father sailed for Vancouver Island under contract with the Hudson Bay Company, to open and work a coal mine which they had discovered, but on his arrival the company claimed the right to dictate new terms, and as with them in early times, might made right, Smith refused to go on with the work, but availed himself of an opportunity to come to California, which he did in 1849, and settled in Benicia, where quite a number of Scotch peo-

ple were then located, many mechanics finding profitable employment in the machine shop of the Pacific Mail Steamship Company, Smith among the number. In 1852 he removed with his family to San Ramon Valley, locating near where Danville now stands, where he resided until his death, which occurred in 1864. "Scotch Smith," as he was generally called, and his wife, were pioneers in every sense of the word. Their door was always open to the needy, and no road was too long for Mrs. Smith to go if she could assist the suffering or alleviate their distresses. The same qualities of heart and mind actuated their son, who grew to manhood on the same farm located by his father. In boyhood the advantages for schooling were not very good, and we find the subject of our sketch, in 1864, at the time his parents both died, with only a limited education, as far as books are concerned, but thoroughly posted as to the qualities of a good horse. And it used to be said that if there was a wild horse that no one else would ride, "take it to Jimmy Smith." When his parents were aware that they were soon to be called away, they were much concerned for the future of their only child, surrounded as he was, and had been, by the influences of early California society, but on their making their anxieties known, he immediately relieved their concern by promising them that he would discontinue his dealings with fast horses, and as soon as possible would go to school, and try to make himself worthy of them, their confidence, love, and name. The year succeeding the death of his parents, we find him busily engaged in clearing off the obligations left upon the estate by their long illness, and the loss of stock consequent upon the drought of 1863 and 1864; he had given his two favorite race-horses to a friend, and was ready at the end of the year to go to school. He became a student of the Oakland Military Academy, and devoted himself to study for two years, so attentively that, at the close of the second year, he was offered a position as instructor in the Academy. He accepted, and for two years taught with a success gratifying to both his Principal and himself. It was while teaching in the Academy that he met Miss Addie Luelling, daughter of Seth and Clarissa Luelling, of Milwaukie, Oregon, who afterwards became his wife. Mr. Smith, finding his presence on the farm necessary to perfect the location made by his father, resigned his position in the Academy and went upon the farm to reside. He was soon engaged to teach the San Ramon School, which he could do and retain his residence upon the farm, to supervise the work. On February 22, 1870, J. D. Smith was married to Miss Addie Luelling, in Oregon, but returned and immediately began teaching, which he has continued to do, with unvarying success, up to the present time. He taught two years in the public school in San Ramon, which position he resigned to accept the Principalship of the San Leandro School. This he held two years, and resigned to accept a Professorship in Washington College, in Alameda County, which position he held for two years, and resigned to take charge of Livermore College. This institution he purchased from its founders, Mr. and Mrs. Kingsbury, in 1875, and has enlarged it from time to time to accommodate the increasing patronage. Livermore College owes its success as an educational institution to Prof. J. D. Smith's vital energy as a man, and capacity as an instructor. The thoroughness of his work is attested by the fact that of the many who have prepared for public school work in the normal course of Livermore College, *not one* has failed before any of the county boards in their examination for teachers' certificates. It is worthy of mention, also, that no year passes that he does not extend a helping hand to some worthy young man or young woman who is striving to obtain an education. Mr. and Mrs. J. D. Smith have only one child, a son, Duncan L. Smith, born March 16, 1874.

THOMAS A. SMITH.—This highly esteemed pioneer of Alameda County, and early resident of the town of that name, whose portrait will be found in this volume, was born in Sparta, Hancock County, Georgia, April 6, 1835. Having the misfortune to lose his father when but one year old, he was taken by his mother to different parts of the Union, finally at the age of fifteen years coming to California alone to seek his

fortune. Sailing from New Orleans on the 15th July, 1850, to Havana in the steamer *Ohio*, and from Havana to Chagres in the steamer *Georgia*, up Chagres River to Cruces, and across the Isthmus to Panama, thence in the steamer *California*, our subject arrived in San Francisco August 23, 1850, three weeks before California was admitted to the union of States, but five days thereafter he proceeded to the mining districts of Tuolumne County, commencing his search for gold in the river of that name, not far from Jacksonville. At the end of two months, moving to Big Oak Flat, he there remained fourteen months, when, returning to San Francisco, he entered upon the study of law in the office of Messrs. Sloan & Rhodes, but from exposure and hard work his health would not permit of the confinement necessary to the study of the profession. It may be mentioned *en passant* that during his residence in Tuolumne County, although but sixteen years of age, Mr. Smith was manager and cashier of the largest mining company in the district, said company consisting of twenty-five men from twenty-five to sixty-five years of age. Having remained at his legal studies for sixteen months he crossed the bay to the Encinal of San Antonio (Alameda) to visit Doctor Hibbard, on account of health, who prevailed upon our subject to take up his quarters permanently there. This he did in January, 1853, when he embarked in the pursuit of agriculture, and was joined by his mother and sister, the former of whom resided with him until her death, in 1866. (This estimable lady was distinguished for her many virtues, and was one of the then famous committee of ladies delegated to receive General La Fayette at Savannah, Georgia, on his last memorable visit to the United States.) Mr. Smith continued farming until the year 1864, when he commenced merchandising, which he followed until the year 1868, when he embarked in his present business as real estate agent. He has also held several public positions of trust, the duties of all of which he has discharged with peculiar efficiency. In 1858 he was elected a Justice of the Peace of Alameda Township, serving until 1861 or 1862, during which term he was chosen one of the last Associate Justices of the Court of Sessions. He was also the first Treasurer of the town of Alameda, and performed the functions of that office for two years, while, in 1876, he was elected County Recorder, in which office he introduced the present valuable system, by which that office is made the best and most convenient Recorder's office in the State. In Mr. Smith we have a gentleman who at a very early age commenced an active life in our State, and has dwelt in it, an ornament to its associations, for upwards of three decades. He remained in California from his first arrival in 1850 until the year 1878; he then made a tour of Europe, and is now one of California's most respected citizens. It is by such a life of unswerving fidelity to his natural instincts that he has risen to honor among his peers. He married, January 26, 1880, Miss Alida B. Andrews, a native of California, eldest daughter of the now Rev. A. B. Andrews, a lady of culture and refinement. We find by reference to dates that Mr. Smith was only a little over fifteen years of age when he arrived at San Francisco; and he says that he had not even money enough to get on shore, but had to borrow from an acquaintance, as there were no wharves at which the steamers could land at that time; also that he walked from Stockton to the Tuolumne River. At the time he went to Big Oak Flat the Indians were very hostile and shot one of the company's members at night, and he could often see their tracks around his cabin in the morning when he got up, and had some lively adventures with the hostiles. As early as twelve years of age Mr. Smith was noted for coolness in danger, and from a notice in an old newspaper at that time, it was said that he saved the *Belle of Red River*, a steamer plying on that river in the cotton trade, from probable loss by fire, and prevented a panic by privately letting the captain know the condition of his discovery, which perhaps saved many lives; he also saved the life of one man on the Chagres River, who fell overboard, by plunging after him and holding him up until both were rescued. We are informed that Mr. Smith's life would make an interesting book if written, but he thought that our province was more particularly to call attention to California Pioneers, and what

was connected with their lives during their residence in the State. Mr. Smith could have had the nomination of the last Democratic Convention for State Senator, but would not consent, although earnestly requested to do so by some of the most prominent gentlemen in the county.

HENRY SMYTH.—Was born in County Antrim, Ireland, in the year 1827, and resided there for the first thirteen years of his life. Subsequently proceeding to Johnston, Renfrewshire, Scotland, he there learned the trade of blacksmith, which he followed until the year 1850, when he emigrated to the United States, settled in Philadelphia, and labored at his calling. In the year 1853 he came to California, and direct to Alameda County, where he established himself in his present business. Married in 1867, Miss Mary E. Marlin, a daughter of John Marlin, and has six children, viz.: Eliza J., Harry T., Florence, James, Mabel, and Elsa.

HENRY J. SOHST.—Was born in Mecklenberg, Germany, February 4, 1838, where he was educated, learned the carriage-makers' trade, and resided until 1868, when he crossed the Atlantic to the American Continent and settled in New York City. At the end of six months he came to California and joined his brother in Oakland, and in the year 1873 was admitted as partner in the firm of Sohst Brothers, proprietors of the Pioneer Carriage Factory, northeast corner of Eighth and Franklin Streets. H. J. Sohst was elected in the last city election, March, 1883, as School Director from the Sixth Ward, for the term of two years. Married, November 29, 1877, Miss Minnie C. Koch, a native of Jackson, Amador County, California, and has two children, viz.: Sophia, born August 11, 1878, and Eddie, born April 11, 1880.

ADOLPH STEIN.—Was born in Poland, April 25, 1852, and there resided until 1869, when he emigrated to the United States, and settled in the city of New York; there he was in the State Militia until 1873, when he moved to the Pacific Coast. In San Francisco he followed his trade of tailor until 1877, in which year he crossed the bay and established himself in the same business in Oakland, being at 916 Broadway. Married, January 1, 1872, Miss Malvina Griepthal, a native of Prussia, and has three children, viz.: Bertha, Carrie, and Abraham Moses.

CALVIN J. STEVENS.—Was born in Brownville, Jefferson County, New York, October 23, 1828. Here he resided on a farm with his father until he attained the age of twenty-three years, when, in May, 1852, accompanied by one sister, he started for California by way of the Nicaragua Route, and arrived in the State July 7th of the same year. Coming direct to Alameda County, our subject located in Union City, now Alvarado, and embarked in a mercantile and milling, forwarding and commission business, there remaining until 1858, when he transferred his merchandise to Centreville. In 1869 he moved his flouring-mills to Livermore, where he is now extensively engaged in producing flour, and grain-buying, as well as in general mercantile affairs. Mr. Stevens is also an extensive farmer, owning one hundred acres of land adjoining the town of Livermore, and many other ranches in the county, besides possessing a large property in the city of Oakland, where his family resides. Mr. Stevens has also served the county in the capacity of Tax-collector for two years, in 1874 and 1875, while he is recognized to be a leading business man of keen perception and rare integrity. Mr. Stevens is married and has three children, viz.: Albert B., Mellie, and Daisy.

CAPT. LEVI STEVENS (deceased).—The subject of this sketch, whose portrait appears in this work, was born at Truro, Massachusetts, May 16, 1812, and in common with most of the youth of that locality was reared to follow the sea, becoming master of a vessel while still a young man. For many years he sailed out of Boston, and in 1851 brought a ship from that port to San Francisco. From there he made a voyage to China and thence proceeded to Boston. Subsequent to this trip, which which was an extremely profitable one, he formed a copartnership in Boston in the shipping and commission business under the firm name of Stevens, Baker & Co., with a branch house in San Francisco, Captain Stevens taking charge of the latter, bring-

ing a ship-load of goods out from Boston with which to stock the establishment. By his superior business capacity, his unswerving integrity in all his dealings, his close attention to details and his excellent judgment, he succeeded in establishing one of the largest shipping and commission businesses on the Pacific Coast, and at the same time making for himself a reputation second to none in commercial circles in California. He did not confine himself solely to the business of his firm, but being of an energetic disposition, succeeded in promoting, very materially, many laudable and important enterprises, which proved of great benefit to the community. In the course of time he accumulated a large fortune. He was one of the incorporators of the Merchants' Exchange Bank in San Francisco, and was elected its President, the bank during his connection with it doing a profitable and flourishing business. After he resigned he went to Europe, accompanied by his wife and two daughters, and traveled extensively. Upon his return to California, and during the great commercial depression consequent upon the labor troubles, the close attention he was compelled to give his many enterprises produced such a strain upon his mental powers that his strength began to fail rapidly. He located in Fruit Vale, Alameda County, in 1864; surrounded himself with the comforts of as beautiful and picturesque a home as can be found in California. Among the many enterprises in which he took a prominent part, was that of the Pittsburg Coal Mine near Antioch, Contra Costa County, building an extensive railroad from the mine to tide-water, and was also largely interested in a profitable hydraulic mine near Smartville, Yuba County. While engaged in these enterprises he also found time to carry various extensive real estate transactions in Alameda County to a successful and profitable conclusion. His death, which occurred November 26, 1882, was caused by paralysis through over-taxation of his mental powers. He was buried on the 28th November, from the Hamilton Church, Oakland, with most solemn and impressive ceremonies. During his active business career he was noted for his enterprise, untiring industry, and firm integrity. He was pure in thoughts, manners, and speech; his influence was gentle, harsh words from his lips being unknown. He wished all his fellow-men well, never harboring or expressing unkind thoughts towards any one. He possessed a marked and active sympathy for all those in distress, and was for a long time a very efficient President of the San Francisco Benevolent Association. In his private relations he was most affectionate, generous, sympathetic, and kind, and indeed, in all bearings of life was one of Nature's true gentlemen. He married, in Boston, Massachusetts, October 15, 1837, Miss Olive R. White, and leaves with her two surviving daughters.

SIMEON STIVERS.—The subject of this sketch, whose portrait appears in this work, was born in Camden County, New Jersey, July 23, 1826, but at three years of age he went to live with an uncle, Earl Marshall, and aunt. At seventeen he commenced to learn the carpenter's trade, having been previously educated at the Philadelphia High School. Arriving in California in 1846 he worked at his trade in Yerba Buena (San Francisco), and was for the most of his time in the employ of W. A. Leidesdorf. In 1848 he came to Mission San José, Alameda County, where he has since resided. Soon after the discovery of gold he tried mining on the American River, and was quite successful. Married, September 12, 1858, Miss Anna M. Jones, a native of Ohio, and has: Letitia M., born July 17, 1859; Simeon E., born August 12, 1861; Charlotte J., born February 27, 1864; Samuel, born August 10, 1866; Champion D., born August 6, 1869; Anna M., born February 4, 1872; Mark, born January 31, 1874; and Edward, born May 3, 1878.

JAMES JOHNSTONE STOKES.—Was born in Gloucestershire, England, October 7, 1816, and there resided until the year 1829, at which time he sailed for the United States, but soon returned to Old Albion's shores, and resided continuously in parts of England and in Merionethshire, North Wales, until 1841, in which year he again crossed the Atlantic, going to Canada West, from whence he visited the cities of New York and New Orleans, sojourning for awhile in each; and then going North, he

resided for awhile in Buffalo and Sandusky City, until the fall of 1848, when, on learning of the discovery of gold in California, Mr. Stokes made up his mind to go to the New Dorado. Finding his way to New Orleans, he sailed from that port in the month of October, 1848, for the Isthmus of Panama, whence he voyaged to San Francisco, arriving in May, 1849. It may be mentioned that he was employed for several months by the American Consul at Panama, ere proceeding on his journey. Having arrived in California he at once proceeded to the mines, near Auburn, where he remained eighteen months, and was subsequently engaged in different places at various occupations, until 1859. In the year 1851 he proceeded to Astoria, Oregon, but returned within the year to California. In the year 1859 he came to Union City, Alameda County, and was engaged in merchandising there; but afterwards moving to Alvarado, he purchased the building adjoining his present store, which was destroyed by fire in December, 1876. In the following year he built the one which he now occupies, where he is engaged in a prosperous merchandising business. Married, October 16, 1854, at Brentford, Canada West, Mrs. M. S. Hart, and has ten surviving children, viz.: Frank R., James J., Henry H., Philip A., Edward A., Harold L., Walter S., Guy H., Mary E. S., and Tom.

LEONARD STONE.—The subject of this sketch, whose portrait appears in this work, was born in Worcester County, Massachusetts, March 3, 1825, and is the son of Benjamin and Lucy (Wheeler) Stone. At the age of eighteen he began to work in a chair factory, and followed this trade until leaving for the Pacific Coast. Sailing from New York, by way of the Isthmus of Panama, to California, he arrived in San Francisco, *ex steamer Golden Gate*, February 21, 1851, and immediately proceeded to the mines, at Auburn, Placer County, where he remained prosecuting his search for the yellow metal until the fall of 1853. At that period he sought a place wherein to found a home, and being captivated by the pleasant appearance of the country around San Lorenzo, there concluded to locate. Here he resided until 1858, when he settled on his present estate, comprising one hundred and twenty-three acres, where he has since dwelt, engaged in grain and fruit raising. Mr. Stone has been prominently identified with the political doings of the county, all of which will be found recorded in the chapter on Legislative History. Mr. Stone married, November, 1858, Miss Jane Madden, a native of Philadelphia, and has: Lucy, Mary, William L., Elizabeth, Sarah, and Susan.

LYSANDER STONE.—The subject of this sketch, whose portrait appears in this work, was born in Erie County, Pennsylvania, July 9, 1825, and is the son of Silas and Susannah (Ward) Stone. Having resided with his parents until he reached man's estate, April 1, 1847, in company with William Meek, a party of twenty families and forty-nine wagons, he crossed the plains to Oregon, where he arrived on the 13th of September, driving one of the first wagons over the Cascade Mountains, *via* the Barlow route. Settling on the Clatsop Plains, Mr. Stone commenced farming, an occupation he followed until the spring of 1849, when he came by water to California, and passed the interval between April and August of that year in the mines. The next twelve months he followed teaming, after which he commenced dealing in cattle, horses, etc., in Colusa County. In the spring of 1860 he came to Alameda County, settled on his present property, consisting of two hundred and fifty-six acres, and has since resided there, honored and respected by his fellow-citizens. He married, May 14, 1857, Miss Kate A. Barker, and has three children, viz.: Jennie F., Egbert B., and Andrew L.

MAHLON BEACH STURGES.—Was born in Norwalk, Huron County, Ohio, February 26, 1830, and is the son of Thaddeus B. Sturges—at one time District Attorney of that county for a number of years, a graduate of Yale College, and a pioneer of 1849 to California—who died in Placerville, in 1851. The subject of our sketch having received his early education in the common school of his native place, and finishing at a private school at Marcellus, Onondaga County, New York, at the age of

eighteen prepared to go to college, but owing to the financial embarrassment of his father this course was abandoned, and he took to commercial pursuits. Obtaining the position of book-keeper in the Franklin House, Cleveland, Ohio, he there remained two years, when he changed to the Durham House, and held a like position there until the intelligence of his father's death caused him to resign and proceed to California, to do which he was obliged to raise money by an insurance on his life, which has long ago been refunded. Coming by way of Panama, our subject arrived in San Francisco in March, 1852, and immediately on arrival secured a ticket for Sacramento, which left him penniless. On gaining that town he found it submerged. Mr. Sturges proceeded to the mines, in company with the late William B. Mastick of Oakland and Judge Carey of San Francisco. On arriving at Michigan Bar, where he found his brother, he engaged in mining as an occupation (Mr. Mastick and Mr. Carey continued on to the mountains) until the fall of that year, when he embarked in the mercantile business. Having proceeded to Sacramento to purchase goods, as ill-fate would have it, his newly-bought stock was entirely consumed in the great fire of that season. Broke in purse, he was by no means so in spirit, therefore he once more faced the mocking world, and proceeded to the mountains, by way of Marysville. Arriving at Rabbit Creek—a place now called La Porte, in Plumas County—he cooked for a company of miners that winter. He next worked for wages for about one year, when he took up claims in company with J. M. Perry and George Stowe, both of Illinois. After three years' toil he then sold his interest to his partners, who afterwards took out \$64,000 worth of dust in three weeks, and in four years they took out over \$300,000. Mr. Sturges now took up a claim for himself adjoining, and "struck it rich," but owing to a change of the adjoining claim it swung him off, and he lost all. Once more his pocket was at "bed-rock." Undeterred, he proceeded to Jamison City, Plumas County, and conducted a hotel for James Kitts, where he remained until the fall of 1856; then moving to Mariposa County, he re-embarked in mining operations for one winter, but, the season being dry, and not meeting with much success, he footed it to Stockton, whence he found his way to San Francisco. He now accepted a position as steerage steward on board the steamer *Sonora*, then commanded by Captain Bobbie, in which he made several trips to Panama. He now returned to the Bay City, married, and went to the mines at La Porte, but soon moved to Richmond Hill, working for wages at anything that offered; Mrs. Sturges, in the first year, making on her own account \$1,800. Our subject now changed his habitation to Sawpit Flat, where, purchasing a claim, he commenced working it, while his wife carried on the laundry business, at four dollars a dozen, clearing thereby from thirty to forty dollars per week. At the end of four years he gave up mining, and sold out his claims. At this period he served two terms as a Justice of the Peace and Notary Public under Governor Low's administration. Mr. Sturges next purchased the water rights of Onion Valley Creek, consisting of eight miles of ditches, which supplied the mines of Sawpit Flat and Richmond Hill with water. Two weeks after purchasing, the miners of Sawpit Flat struck rich pay, which made his purchase very valuable. In one year he made enough to pay for his purchase and leave a handsome balance. He continued in this undertaking until 1867, when he sold out on account of ill-health. He removed to San Francisco; and there he was engaged for a year in keeping a lodging-house, when, disposing of it in 1869, he paid a visit to his former home in the Eastern States for the purpose of securing a patent on an improved gas-burner he had invented. His intention was to settle in the Eastern States, but, owing to the great climatic changes between heat and cold, he returned to California in July, 1870, and purchased his present farm of fifty acres, situated one and a half miles from Washington Corners, on the main road to Centreville, on which he has made many improvements, being engaged in general farming and stock-raising, devoting much of his time to the rearing of thoroughbred short-horn cattle, a number of his raising having taken premiums at the different fairs throughout the State.

Married in San Francisco, April 22, 1860, Miss Elizabeth Kane, a native of Philadelphia, of Irish parents; no issue.

JOSEPH SUNDERER.—Was born in Baden, Germany, February 25, 1843. On January 11, 1866, he sailed from Havre to the United States, and arriving in New York on the 25th February, commenced working at his trade of shoemaker. Here he resided until July, 1867, when he sailed, by way of Panama, for San Francisco, arriving July 24th of the same year. In April, 1868, he left that city, and, coming to Mission San José, there established a boot and shoe manufactory. In October, 1877, he purchased his present residence and place of business, located on Vallejo Street. Married, and has four children.

JOSÉ NARCISO SUÑOL.—The subject of this sketch, whose portrait will be found in the pages of this history, was born in Pueblo de San José, Upper California, June 10, 1835. His father, Don Antonio Suñol, was one of those grand noblemen cast in nature's mold. His birthplace was Barcelona, in Spain, but a love for the French people induced him to enter their naval service, and he was present when Napoleon I. surrendered as a prisoner before his exile to the island of St. Helena. Coming to Monterey as long ago as the year 1818, he cast his lot in the country, married Senora Dolores Bernal, one of its beautiful daughters, in or about the year 1823, in San José, where they had long been settled. In or about the year 1839 the Rancho Valle de San José was granted to Don Antonio Suñol and others—a vast tract of fertile land, embracing eleven leagues, or four thousand eight hundred acres—while during his life in the country he held several high offices of responsibility and trust. Don Antonio was born in the year 1797; he died at his residence in San José, March 19, 1865, having earned in life by his generosity the respect of the entire community. He left a family, five of whom are now living, viz.: Paula (Sainsevain), Incarnacion (Elchebarne), José Narciso, Antoneta (Murphy), José Dolores. Our subject, the eldest son, at the age of fourteen years was sent to Europe, and received his education at the Lycée de Bordeaux, where he took a commercial course, and after five years returned to California, when he settled in the Suñol Valley, where he has since been engaged in farming. He married, January 6, 1858, Miss Maria Rosario Palomares, a native of San José, and daughter of Francisco and Margarita (Pacheco) Palomares, by which union there are six surviving children, viz.: Margarita, Virginia, Frances, Eulalia, Josephine, and Juanita.

GRANT I. TAGGART.—Was born in Chester County, Pennsylvania, December 4, 1829, and is the son of Joseph I. and Abigail H. (Smith) Taggart. In the year 1832 he was taken by his parents to Morgan County, Illinois, and afterwards, in 1837, to Cincinnati, Ohio, where he resided until 1844, when he transferred his residence to Galena, Jo Daviess County, and there embarked in the mercantile trade, which he followed until 1850. At that time he came to California, and commenced business in Greenwood Valley, El Dorado County. In the winter of 1851-52 he removed to San Francisco, being engaged in the like occupation up till 1853, when he transferred the scene of his operations to Shasta County until 1857. Mr. Taggart now embarked in the stage and express business there, and carried it on until 1879, in connection with which he had Government contracts for carrying the United States mails from 1864 to 1879. In 1865 he was elected County Clerk of Shasta County, a position he held for three terms, and, being again elected in 1869, performed the functions of the office until 1871, when he became Clerk of the Supreme Court of California. In 1875 he moved to Oakland, Alameda County, and commenced a real estate business, which he still continues. He was connected with staging matters until 1869. Married, May 1, 1860, Miss Mary C. Metcalf, and has three children, viz.: Charles A., Joseph T., and Abbie R.

JOHN TAYLOR (deceased).—The subject of this sketch, whose portrait appears in this work, is a native of Cayuga County, New York, where he was born in the year 1833. Losing his parents when yet a child, Mr. Taylor lived under the care of an

uncle until old enough to do battle with the world. Having worked for some time upon a farm, in 1852 he emigrated by way of Panama to California, and on arrival in San Francisco, immediately proceeded to Sacramento, where he started a vegetable garden in January, 1852, and conducted it for two years. Mr. Taylor now returned for a short time to the Bay City, and finally crossed over to Alameda County, to Washington Township, where he worked on a farm for about a twelvemonth. He now rented a ranch near Dry Creek, which he farmed for one season, when he purchased a tract of two hundred and fifty acres situated between Niles and Mission San José, where he resided twenty years. He then disposed of the place, removed to the Livermore Valley, and, purchasing the ranch known as the "Big Field," there resided until his death, on August 7, 1881. Mr. Taylor married February 15, 1860, Miss Rachel A. Cheney, by whom there are seven children living, viz.: Alice A., Helen H., George K., Louisa M., Florence K., Mamie R., and Lillie. There are four deceased, whose names were: Thomas, Mary Ann, John, and Janie.

JOSEPH H. TAYLOR.—Is a native of Bristol County, Massachusetts, and was born November 19, 1825. When but six years of age he was taken by his parents to Kalamazoo, Michigan, where his father engaged in farming, and our subject resided until leaving for the Golden State. On November 12, 1853, he started for New York, and on the 19th sailed therefrom for California, where he arrived December 24th, by way of the Nicaragua Route. The first six months in the State he passed in Martinez, Contra Costa County, and then coming to Alameda County, located in Eden Township, where he embarked in agricultural pursuits, on the place now owned by Mr. Stone. Here he remained until 1860, when he spent a year in Sonoma County, and subsequently returned to Haywards, where he dwelt until 1867. In that year he removed to the Townsend Ranch in Murray Township, where he farmed twelve hundred acres for eleven years. He afterwards lived for two years on the farm now occupied by Mr. Robinson, and in 1880 took up his abode in Livermore, where he now resides. Mr. Taylor has held the office of Justice of the Peace for Eden Township. He is married, and has a family of three sons, viz.: Edwin, Joseph B., and George V.

DR. WILLIAM STEWART TAYLOR.—The subject of this biography was born June 24, 1847, in Saltsburgh, Indiana County, Pennsylvania. His parents and grandparents were natives of Pennsylvania and Virginia, of Scotch-Irish parentage. During his boyhood his father was engaged in the mercantile business, but this being foreign to the aspirations of the son, he was kept more or less regularly at school, with a view of studying theology. But maturer years, with a better judgment, led him to choose an occupation requiring less eloquence. At the age of twenty, leaving school, he engaged in the service of a civil engineer, on the Southwestern Railroad, in Tennessee, then under construction, where he remained nearly a year, when the railroad company failed financially and suspended operations. Having a desire to follow the business, he sought employment elsewhere, but failing to find a position for immediate employment, he returned home and resumed his studies, continuing at the same, with the exception of one year, when he was employed as Principal of the public school in his native town, then of about one thousand inhabitants, until the spring of 1871, at the age of twenty-four, when he began the study of medicine, under the care of Dr. J. L. Crawford. He attended medical lectures during the sessions of 1871-72 and a portion of 1873, at Ann Arbor, Michigan. In the spring of 1872 he was married to Miss Martha E. Dickie, of a neighboring county. After studying and practicing under the supervision of his preceptor during the summer of 1873, he went to Philadelphia, where he graduated from Jefferson Medical College on March 11, 1874. He at once entered into partnership with his preceptor, which, however, was of brief duration, owing to the latter engaging in politics, and leaving the newly-fledged Doctor to his practice. After a year's practice he found it necessary to relinquish a good and flattering introduction to practice, for a less vigorous climate. Consequently, in the

spring of 1875, he came to San Francisco, locating on the corner of Sixth and Harrison Streets, where he remained until September 1st, when he returned to Pennsylvania on account of family sickness. Remaining at home a short time, he went to New York and Brooklyn, where he remained until June, taking special instructions in medicine. In June of this, the Centennial Year, at the public commencement of Washington and Jefferson College, the degree of Master of Arts was conferred upon him. In the early fall of 1876, with his wife and son, he returned to San Francisco. Finding his old corner taken, and with a family, and a somewhat depleted pocket-book he sought a field offering immediate returns, and that proved to be Livermore—intending, however, to return to the city. But a large practice, if not a very lucrative one, with faith in the future, a glorious climate, and good health induced him to remain, where he now practices his profession.

DANIEL M. TEETER.—Was born in Pope County, Arkansas, September 5, 1838, and there farmed and worked in his father's saw-mill until he attained the age of nineteen years. On the 7th day of May, 1857, he started for California, by way of the plains, with ox-teams, three wagons, and a drove of cattle (fourteen hundred head), and, after a long and tedious march of nearly four months, arrived at Salt Lake City; and, after enduring many hardships during the winter; the journey was resumed. On the 13th day of April, he, with twenty-seven others, started afoot for California, a distance of eight hundred miles; and after the fatigues and hardships met—such as crossing large bodies of snow, and being scantily clad, and exposed to the wild savages, and living on flour alone—he ultimately arrived at Danville, Contra Costa County, in June, 1858. Here he found employment and remained until October, 1861, when he moved to Alameda County, engaged in farming for three years on a portion of the Dougherty Ranch, and then moved to the Bernal Ranch, near Pleasanton, where he remained two years. Having been engaged in farming and teaming, he was entirely uneducated, and so he then took an eighteen months' course at the college at Alamo, Contra Costa County, after which he engaged in teaming and freighting to Washoe for two years with moderate success. Subsequently he leased a farm on the Bernal Estate, which he occupied until 1874, in which year he purchased his present place, comprising two hundred and fifty acres, situated in close proximity to the town of Livermore, where he is engaged in general farming and stock-raising. Married at San Leandro, Alameda County, June 20, 1870, Miss Caroline E. Arnett, a native of Missouri, which was a happy and prosperous union until the 15th day of December, 1882, when, after a long and wasting attack of consumption, she departed from this world, leaving to mourn her loss himself and two children, a boy and a girl, named Franklin and Flora Elizabeth.

GEORGE THOM.—Merchant, and Postmaster of the town of Newark, Alameda County, is a native of New York, and resided in that and the adjoining State of New Jersey until about the year 1872, when he came to this State, where he has since resided. Mr. Thom first settled in Sacramento, and afterwards removed to Oakland, where he resided until commencing business in Newark, in 1880. C. J. Thom, member of the Board of Education of Alameda County, is a son of Mr. Thom of Newark.

PHILIP THORN.—Was born in Bavaria, Germany, September 6, 1832. When but a little over three years of age, he was brought by his parents to the United States, and locating in New York, here our subject grew to man's estate, and learned the trade of baker. On February 19, 1852, he sailed from that city by way of Panama to California, and arrived in San Francisco after an unusually long voyage of four months, on June 27th. Mr. Thorn at once commenced working at his trade, and followed it in different places until 1855, when he opened a bakery and restaurant in Alvarado, Alameda County, in partnership with Conrad Hensel. Here he remained until 1858, when he engaged in business in the Bay City, but after a year he returned to Alvarado, and purchased the "Old Home" Hotel, which he conducted until 1864. At this period he went back to San Francisco, opened a bakery, and followed that

enterprise until the fall of 1866, when he once more crossed the bay to Alameda County, and resided for six months in Washington Township, at the end of which time he moved to Murray Township and settled on the place now owned by the Clark Brothers; subsequently, however, he removed to a farm situated about half a mile east of Livermore. In the fall of 1868 he sold out, returned to New York, and, after a visit of six months, came back to California and took up his residence on the farm he now occupies, situated four miles north from Livermore, and comprising one hundred and sixty acres. Married, June 14, 1857, Miss Barbara Link, a native of Bavaria, Germany, and has four children, viz.: Margaret E., George A., William P., and Joseph E.

M. K. THORNBURGII.—Was born in Jefferson County, Virginia, near Harper's Ferry, December 22, 1829. When he had attained the age of twenty years, he proceeded to Louisville, Kentucky, where he resided five years, then moved to St. Louis, Missouri, for twelve months. At the expiration of that time he went to West Point, near Kansas City, and thence, with three companions, started to cross the plains to the Pacific Slope. After a trip of four months our subject arrived in Sacramento, the day being September 15, 1853. He proceeded at once to Marysville, Yuba County, but remaining there only a short time, he transferred the scene of his operations to Cañon Creek, Sierra County, and engaged in merchandising. Two years thereafter he returned to Marysville, and obtained employment in the Sheriff's office, with his brother, but subsequently proceeded to Bear River and embarked in stock-raising, an occupation he followed for two years more. He then undertook the management of the hotel at the well-known "Johnson's Ranch," for a couple of years. Thence he moved to Lincoln, and engaged in mercantile pursuits for six years, finally establishing himself in the produce and commission business in San Francisco. There he dwelt until making his home in Oakland in 1875, when he established himself at the corner of Eighth and Chester Streets.

RICHARD THRELFALL.—This gentleman, whose portrait appears in this book, is a native of Saint Clair County, Illinois, and was born November 23, 1829. At the age of two years he was taken by his parents to Monroe County, and there he received his education, and resided until he reached man's estate. He then emigrated to California, sailing from New Orleans in the month of February, 1852, and after a delay of some forty days on the Isthmus, trying to secure a passage up the coast, he finally arrived in San Francisco by the steamer *Oregon*, April 6, 1852. Mr. Threlfall at once crossed the bay to Alameda County, and after a short stay moved to the San Mateo redwoods, where he worked as a teamster for four months, after which he returned to Alameda and worked in the harvest-field till October, at which date he went to the mines on the Yuba and Feather Rivers on a prospecting trip. Returning to Marysville he purchased teams, came to Alameda County and settled (December 1852) in Washington Township on a portion of the Band & Horner tract. The years 1863 and 1864 he spent his time between Sacramento, Folsom, Virginia City, and Austin, and, in 1865, located himself in Livermore Valley, and embarked in farming, which he continued until 1870. In 1869 he purchased a tract of twelve thousand six hundred and forty acres in Stanislaus County, to which he has since considerably added. His possessions in that county are seventeen thousand five hundred acres of land, stocked with twelve thousand head of sheep, four hundred head of cattle, and one hundred and twenty-five head of horses and mules, as well as some carp ponds which are prolific in their yield. Mr. Threlfall's residence is in Washington Township, where he has a model farm. It is no species of flattery to say that our subject is regarded by his fellow-citizens in the light of an honest, upright man, whose word is his bond, and whose integrity is undisputed. He married, October 16, 1861, Miss Helen Rix, and has four children, viz., Charles H., Nellie A., Angie M., and George A.

IVAN JAMES TIFOCHÉ.—Was born in France, July 27, 1833, and there resided for the first ten years of his life. He then commenced a sea-faring life, which he

followed for twelve years, sailing in the meantime to all parts of the world. In April, 1852, he entered the Golden Gate on board of the ship *Five Brothers*, and immediately proceeded to Nevada County, where he engaged in mining for ten years. Returning at that time to San Francisco, in August, 1862, he crossed the bay and located himself in Washington Township. Here he was variously employed until October, 1878, when he purchased the interest of George Forbes, and in 1882 made many extensive improvements. Mr. Tifoche is engaged in the liquor trade on Main Street, Centreville, where he also has a billiard parlor. Is unmarried.

DAVID TISCH.—The subject of this sketch, whose portrait will be found in this work, is the fourth child of Michele and Madelaine (Saver) Tisch, and was born in southern Bavaria, Germany, March 24, 1849. Having attended the day school of his native place until he attained the age of twelve years, he then was placed under the tutorage of Professor Carl Presler, of Dresden, for a term of two years. Mr. Tisch now began practical working in the various branches of floriculture, and was so engaged for a further term of two years. When sixteen years old he emigrated to the United States, and locating in St. Louis, there found immediate employment in the botanical gardens of Henry Shaw, such were the high recommendations he had brought with him. In 1872 he emigrated to California, and was quickly employed by James Hutchison as foreman of his nurseries, where he remained some three years, at the expiration of which time he took the management of W. F. Kelsey's place, which prospered under his skilled hands and energetic surveillance. June 1, 1879, Mr. Tisch established himself in business at 479 Seventh Street, as nurseryman and florist, where we are happy to say his business blossoms as gaily as his most rare exotics. It may truly be said of Mr. Tisch that he is the right man in the right place. Married in Chicago, April 16, 1872, Miss Sophia A. Gootz, a native of Berne, Switzerland, who died September 8, 1882, by which union there are four daughters, viz.: Madelaine, Ada, Stephanie, and Daisy. It should be mentioned that Mr. Tisch is an active member of the State Horticultural Society, in which he takes a deep interest, while he is one of a committee of five appointed by the Association, to see to the advancement of floriculture. In 1875 he received from the Mechanics' Institute, the first premium for fine plants, etc., an honor which has been bestowed upon him on several occasions, both on this coast and at the East. Though young in years, Mr. Tisch has had large experience in his profession, and yet has a long and brilliant career before him.

CHARLES O. TRASK.—The subject of this sketch, whose portrait will be found in this work, was born in Somerset County, Maine, September 1, 1817, and is the son of Stewart and Mary (Owen) Trask. Under their tender guidance he grew to man's estate, having labored on his father's farm during the season, and in winter attended the common school of the district. In the year 1838 he started out to face the cold world. Proceeding to New Brunswick, he there embarked in the lumber business, but at the end of five years returned to Maine, and took up the same occupation in Aroostook County, where he resided until determining to try his luck in California. Starting in 1851 for San Francisco, *via* Panama, he there arrived on the 5th of May, in the steamer *Northerner*, but he at once moved on to Sacramento, where then was centered all the mining trade, and commenced teaming to the mountains, which he continued three years. In 1853 he established a mercantile business in Red Dog, Nevada County, but shortly thereafter transferred the scene of his operations to Iowa Hill, Placer County, and there dwelt until 1862. In that year he removed to Beaver Head County, Montana, and after mining for a short time established a general mercantile, teaming, and lumber business, which he carried on until 1879, when, on account of ill-health, he sought the genial climate of Brooklyn Township, Alameda County, and made his residence at Seminary Park, where he enjoys a well-earned retirement after a long life of much activity. Married, in the year 1844, Miss Mary Ann Harvey, a native of Maine, and daughter of H. C. Harvey, and has had a family of six children, only one of whom survives, viz.: E. M. Trask, of Butte City, Montana.

WILLIAM TYSON (deceased).—The following sketch of this pioneer, whose portrait appears in our work, was written for the *Rural Press* at the time of his death: "One after another those hardy and enterprising men who helped to found our State are passing from our midst. Their lives of toil and wonderful adventure along the cloudy Sierra and in forgotten mining-camps, and over plains now smiling with golden harvests, had a freshness and a sense of delight which few of their children can ever know. Everything concerning our pioneers is of such interest that we narrate a few events in the life of Wm. Tyson, who died at his residence at Niles, on the first of last July. The surroundings of a man's childhood do much to form his character, and it is pleasant to know that Mr. Tyson's earlier life was passed among historic scenes. In the extreme northwestern corner of England, separated from Scotland by the Cheviot Hills, lies the county of Cumberland, whose county town is Carlisle. Once forming a part of the kingdom of Northumberland, it became later the scene of border life and frontier adventure in the days of Percy and of the Scottish marches. Peopled by a brave and hardy race of miners, mountaineers, and farmers, the Saxons mingled with the Normans less here than elsewhere, and the blue eyes and brown hair of the Saxons are oftenest seen. The Tyson family was one of worth and respectability in the rugged portion of Cumberland. They possessed the old fair-haired Saxon type, and both sons and daughters were remarkable, even in a sterner age, for bodily strength and health. William was one of eight children—five boys and three girls—and was born on the 5th of December, 1820. Dairying was the family occupation, but as William grew up, he began to show a painstaking industry and a taste for the use of tools, and his mother dying when he was thirteen, he was apprenticed to the carpenter's trade, after the thorough way of those good old times, when trades were well learned. The earnest lad was always busy and patient, going on from step to step until he became a good house carpenter, joiner, and wagon-maker before he was twenty-one. In 1841, at the town of Maryeport, he became an Odd Fellow, and ever after kept up his connection with that Order. This was the time when much interest was felt in America among the middle and yeomanry classes. So, in the fall of 1841, following out a long-cherished plan, he came to the United States, and, going West, settled in Columbus City, Louisa County, Iowa. In 1846 he moved to the town of Grand View, and pursued his trade of wagon-making. The following year he married Emmeline Morrison, and removed to the little town of Port Louisa, where he remained until the gold excitement in California. On the 15th of March, 1849, Mr. Tyson, his wife, and infant son, with his brother-in-law Wm. Morrison, started for California. By the 6th of May a company of nineteen wagons had been organized, for the sake of comfort and protection; but after traveling together four days, Mr. Tyson and two others left the company, and continued in advance, being able to travel faster. Game was abundant and easily obtained, Mr. Tyson being the crack shot of the party. He shot the first buffalo seen, and afterwards, whilst near Donner Lake, killed five pheasants at one shot. The party made a new trail along the Truckee, and it is remembered with some amusement that they crossed that river twenty-seven times in one day. They saw the sad remembrances of the Donner party, and soon after began the wearisome ascent of the Sierra Nevada, using ten or twelve pairs of oxen to pull each wagon up, and letting them down on the western slope with heavy ropes. The 12th of September brought them safely to Sacramento, the only sad event of the journey having been the death of their child, William Perry Tyson. The early pioneers did not loaf. The Tysons, young and hopeful, went to Hangtown (now called Placerville) in El Dorado County, and opened a boarding-house. But in three weeks Mr. Tyson and his brother-in-law bought a claim for three hundred dollars, took out over one thousand dollars, sold the claim, and began work in loose diggings which paid sixteen dollars per day. Hearing of better places they started to find them, but the floods prevented their going beyond Georgetown, and they went to Sacramento for a load of groceries to start a store,

but on their return the mining-camp was almost deserted. With his capital tied up in heavy groceries Mr. Tyson's energy did not fail him, and, with the aid of his faithful wife, he packed his goods to Bird's Valley, and again kept boarding-house. In the fall of 1850, whilst in Sacramento, he received a letter from his brother-in-law, Perry Morrison, then in San José Valley, which decided him to realize a long desire, and become a farmer. Closing up his business he came to the Mission San José, and bought a settler's claim to a beautiful tract near the Alameda Creek. Here he brought his family; here he lived a quiet, useful life, universally respected and loved for his genial temper and uprightness. His boys and girls began to cluster around him, and the cares of life perplexed him, but he was always the same cheerful philosopher. His friends wanted him to run for office, but he always refused. As an instance of his probity, we may mention the fact that when the county treasury at Alvarado was robbed, two of the four bondsmen failed to appear; but Mr. Tyson and his brother-in-law, the remaining two bondsmen, paid the county's claims without question. In 1872 Mr. Tyson and his loving wife celebrated their silver wedding, and it was a great occasion in the neighborhood. In the same year his eldest son, William Henry, married Miss Jennie Bonner, an old schoolmate. In 1874 his eldest daughter, Clara, married Mr. Martenstien, of San Francisco, and they have one child. In all Mr. Tyson left six sons and three daughters living. He loved home so well that he traveled but little. He went over the northern counties, however, with the publishers of the *Rural* and others this spring, and his mining stories, jokes, and wise sayings were a treat to us all. His years sat lightly, and none of us dreamed of his sudden departure. He was especially sorry that he could not see A. J. Loomis, of Red Bluff, his old companion across the plains. Upon the little mound where lies the man we loved, we can only lay a leaf of memory and of respect for his qualities as a friend, a father, a citizen. May peace rest upon the house of mourning, and may his sons be manly and noble, as was their father. Such quiet, untroubled lives as his are the best hope of the nation."

CAPTAIN CALVIN VALPEY (deceased).—The subject of this sketch, whose portrait appears in this work, was born in Yarmouth, Nova Scotia, on the 10th day of March, 1806. When quite an infant, his father, who was a seafaring man, and master of a small vessel, was wrecked on one of the Tusket Islands, and lost with all his crew. At the age of seven years he was apprenticed to a sea-captain, with whom he lived and faithfully served during his apprenticeship. His first voyage at sea was made when twelve years of age, and from that time he continued to follow the sea, as boy, able seaman, and officer, until the year 1832, when he first took charge as captain. In the year 1833 he was united in marriage with Miss Elizabeth Gardner, the eldest daughter of the then late Captain Reuben Gardner, of Yarmouth. After his marriage he principally followed the sea; but having purchased some property in the country, he sometimes occupied his time in farming. On the 9th day of November, 1850, he left Yarmouth in the schooner *Eagle* for California, and, passing through Magellan's Straits, he arrived at San Francisco on the 20th day of April, 1851. For some years after his arrival in California he followed several occupations, such as boating, mining, merchandise, etc., but principally boating from the Warm Springs Landing, of which place he was the original proprietor. In the year 1860, his wife and children having arrived in California, he purchased the property at Harrisburgh, where he resided until his death, which occurred September 12, 1880. He leaves a wife and six children, three sons and three daughters, all of whom, except one daughter, are residents of the Pacific Coast. Their names are: Emma, Calvin, Horatio, Lizzie, Charles, and Alice.

HON. HENRY VROOMAN.—The subject of this sketch, whose portrait appears in this volume, was born at Litchfield, Hillsdale County, Michigan, July 25, 1844. At the age of eight years he accompanied his mother to Oregon, and after a short stay in Portland, located on a farm on the east bank of the Willamette River between Milwaukee and Oregon City, where he resided four years, attending school at Forest

Grove during six months of that time. In the month of October, 1856, he came to San Francisco, and from there went to Neal's Ranch on Butte Creek, Sutter County, where, though only twelve years of age, he commenced to work as a farm laborer. Subsequently proceeding to Dog Town he there drove a logging team for a time, afterwards herding cattle and driving them from the valleys to market. In the fall of 1858 he found himself at Harris' Ranch, Sutter County, about a mile and a half from Marysville, where he was variously employed for two years. In the fall of 1860 he commenced mining in Tuolumne County, which he abandoned in the following spring for wood-chopping at Kincaid Flat, hauling the result of his labors into Sonora for sale. In the autumn of 1861 we find Mr. Vrooman at Shaw's Flat starting an apprenticeship to the blacksmiths' trade, which he there followed for two years, when he moved to the town of Sonora and prosecuted that calling until 1865, save a few months passed in mining on the Stanislaus River, and a trip to the State of Nevada. During the month of April of that year he changed the scene of his labors to Tomales, Marin County, afterwards proceeding to Sonoma County, and working at Bloomfield and Lakeville, in the latter place opening a blacksmith shop. In the spring of 1867, selling out, he came to San Francisco for a time, and in April of that year located in Oakland and commenced working at his trade in a shop then situated at the corner of Eleventh Street and Broadway, and there continued until the fall of the year. At this time Mr. Vrooman entered the Pacific Business College, from which institution he graduated in January, 1868, when he again betook himself to the sledge and anvil. He now determined to still further prosecute his studies, therefore he commenced attending the Brayton School, but in a year's time was compelled to go to work again. He then moved to Vacaville, Solano County, and after toiling at the forge for some time, came back to Oakland and remained until the spring of 1870. Strength of purpose and close application appear to be Mr. Vrooman's chief characteristics; we have seen how, when a mere lad, he launched forth alone to do battle with the world; we have watched him acquire the art of a skilled mechanic; and we have observed him dip into the mysteries of scholarly lore, but his present eminence among the learned was not entirely obtained in the halls of academic training. It was founded at the forge; and while his brawny arm welded the heated bars of iron, his cool brain drew inspiration from a tarnished leaf from out a classic tome as it was fastened against the wall in front of him. In such a way did he find himself accompanying Cæsar across the Rubicon, revel in the higher mathematics of Euclid, and sing the rhythmical verses of good old Homer. In the spring of 1870 our subject left California for the East, and entering Cornell University at Ithica, New York, there remained till the close of that year's term, but finding that the climate of the Atlantic Coast did not agree with him he returned to the genial shores of the Pacific in the month of December. On his return Mr. Vrooman entered the office of T. J. Arnold, City Engineer of Oakland, as chairman, and in the summer of 1871 accompanied a surveying party to Lassen County, re-entering the office of Mr. Arnold on his return to Oakland. In the following summer (1872) he went to Humboldt County, but later, returning to Stockton, was employed as superintendent of construction of a levee on Rough and Ready Island. This work completed he came back to Oakland and was appointed Engineer of Phoenix Fire Engine Company No. 1; worked at the same time in the City Engineer's office, and was engaged in writing for the *Home Journal*, a paper published in the town of Brooklyn, being for a portion of the time in editorial charge of it. In these last few years Mr. Vrooman had dipped into the mysteries of legal learning, but in the year 1873 he commenced the actual study of law as his future profession, and with such closeness and efficacy that on January 12, 1874, he was admitted to practice in the Supreme Court of the State, while to such a high standard of knowledge had he attained, that four days thereafter, on January 16th, he was appointed Deputy District Attorney by A. A. Moore, a position he occupied until 1876. In the meantime, in March, 1874, he had been appointed Deputy City Attorney, the functions of

which latter office he performed in conjunction with those of the former. Indeed it had become a matter of notoriety that all the duties of the City Attorney had devolved upon him; therefore, it is not to be wondered at that at the election in March, 1876, he was chosen by his fellow-citizens to fill that onerous position. During Mr. Vrooman's term as Deputy and City Attorney, he mapped out for the Council a plan of reform, which was adopted, and resulted in wiping out the floating indebtedness of the city, reducing taxation to the lowest figure ever known in the history of the City Government, and placing the business affairs of the city upon a cash basis—and when he retired from the office there was in the General Fund of the City Treasury a surplus of forty thousand dollars. During his term of office he also managed, unassisted, some of the most important suits in which the city has ever been interested, and that successfully—no judgment was ever obtained against the city during his administration of the office of City Attorney. In September, 1877, he was elected District Attorney of Alameda County, and entered upon the duties of the office the following 1st of March, resigning the position of City Attorney. His administration of the office of District Attorney was highly commendable, and gained for him an enviable reputation as an able lawyer. His office began to be flooded with private practice, and finding that to attend to a tithe of the legal business offered him, he would be forced to neglect that of the county, or intrust it to a deputy, he determined to resign, and did so after holding the office for one year. He was immediately offered and accepted the Attorneyship of the Oakland Bank of Savings, which position he still retains. Among the important cases which our subject has successfully conducted for the city of Oakland, we may mention that of the Main Lake Sewer Bond litigation; the successfully defending in all the courts the license ordinance passed by the City Council fixing the license for liquor saloons at fifty dollars, which was contested by the liquor dealers; and also the suit of Hawes against the city of Oakland and others, which was tried in the United States Supreme Court, in which Court he was admitted to practice. At the general election on November 7, 1882, Mr. Vrooman was elected to the distinguished position of Senator from Alameda County, and at once took a leading position in that august body. No question of vital importance to the State was passed by him without comment and able argument. His speeches are among the most exhaustive that were made in the session of 1883, and will be long remembered for their ability and display of general knowledge. Among the best known of the bills, which can only be mentioned here shortly, which he introduced were: The Vrooman Street Act; a bill authorizing the redemption of lands sold to the State for delinquent taxes; to provide for the classification of municipal corporations; to provide an industrial department for Deaf, Dumb, and Blind Asylum; to create a permanent Code Commission; to amend the Constitution so as to allow the State to provide text-books for common schools. Indeed it was said of him that Henry Vrooman, of Oakland, would be numbered on the fingers of the first hand in a count of the ablest men in the Senate. Senator Vrooman carries the impress of a well-balanced mind of great vigor, and is a valuable legislator. He is the author of the Street Improvement Bill, and of several other measures of important legislation, and devotes especial attention to matters pertaining to municipal corporations. He is an open defender of the railroad company, and made an exhaustive speech in its defense on the Del Valle resolution, containing many strong statements of fact that remain unanswered. Mr. Vrooman, as a lawyer, has been more than ordinarily successful, and for the reason that he is a worker, always preparing himself in every case he undertakes. No man in the city of Oakland has burned as much midnight oil as he has. This preparation, with his tireless energy, is the secret of his success.

WILLIAM WALES (deceased).—Was born in Cornish, York County, Maine, November 28, 1827, and resided there and in Massachusetts until 1852, when he came to California. On arrival he immediately proceeded to the mines for two years.

Subsequently, coming to Alameda County, he worked at the Mission San José for Mr. Beard; and finally, in 1862, purchased the forty-six-acre farm now occupied by his widow. Mr. Wales died December 17, 1880. He married, October 11, 1852, Miss May Kelly, a native of Ireland, and left a family of nine children, viz.: Olive, born December 6, 1859; William, born December 16, 1861; George, born September 10, 1865; Abbie, born June 10, 1867; Maggie, born June 4, 1869; Jura, born June 1, 1871; May, born May 2, 1873; Anna, born October 23, 1876; Harry, born August 5, 1878.

JARED TUTTLE WALKER. —The subject of this personal narrative, whose likeness finds a place in this history, was born in South Bristol, Ontario County, New York, June 20, 1822, and there resided on his father's farm until he arrived at man's estate. He was educated at the common school of the district. In 1843 he proceeded to Michigan, accompanied by two sisters, where he was subsequently joined by his parents, and there engaged in farming for nine years. Mr. Walker, then, in April, 1852, determined to emigrate to California. In that month he took up the line of march from St. Louis, to Fort Leavenworth, where he followed the emigrant trail across the plains. Accompanied by seven companions—two of whom died of cholera, *en route*—and horse teams, our subject arrived at classic Hangtown (now Placerville), August 29, 1852. Here he engaged in mining until December, when he was forced to lay aside the pick and rocker, and succumb to typhoid fever, to be, on recovery three weeks after, prostrated with small-pox; thus, in his instance, fully exemplifying the adage that misfortunes never come singly. Having regained his strength, and in consonance with the physician's advice, he abandoned the search for gold in the mines, and looked to gain it from the fields of golden grain; he therefore came to Alameda County, and pitched his tent on the two hundred and ninety acre farm he now occupies, situated about one mile from Washington Corners. Here he has effected many valuable improvements, until, to-day, he owns one of the very finest farms in the country. In the year 1863 Mr. Walker was elected Township Assessor, and performed the functions of that office until the fall of 1866; and is now the President of the Pioneer Association of Washington, Murray, and Eden Townships. Married in Calhoun County, Michigan, March, 1860, Miss Jane A. Converse, a native of New York, and has: Nellie I., Pitt M., De Witt D., Roxie L., and Jaredna E.

OTIS WEBB.—A California pioneer, whose portrait appears in this work, was born in Lynn, Massachusetts, October 27, 1813. Commenced his career as a sailor upon a whaling ship at the age of eighteen. At the age of twenty-four he took command of a ship, in December, 1848, making several successful whaling voyages. After the discovery of gold in California, he and his brother Hiram chartered and loaded the bark *Carib*, on their own account, for California, he sailing as master. Left Boston the last day of December, 1848; said to be the first vessel leaving Boston for California, after the discovery of gold. On the voyage out, stopped at Valparaiso, and took on a deck-load of lumber; arrived at San Francisco, June 20, 1849. Immediately on their arrival erected a store, that had been framed upon the vessel, at the corner of Webb and Sacramento Streets. Afterwards sold the store building to Collins, Cushman & Co. Took an active part in the suppression of the "Hounds," so-called. During the latter part of 1849, and early part of 1850, erected several frame buildings, which were burned at the large fires. Afterwards sailed up the Alameda Creek as far as Alvarado, and from there walked to the San José Mission, where he took up a piece of land, but proved to be an unsuccessful squatter. In 1852, with others, purchased and fitted out the ship *Nile* for a whaling voyage, sailing on her as master to the Arctic, making a very successful voyage; Moore & Folger, agents. Returning to the Eastern States, spent several years there, and two years in Europe, occasionally visiting California. In 1878 returned to California and settled on his farm, at San Lorenzo, Alameda County, which he had purchased several years previ-

ous, which had been improved by his son, Edward O. Webb, where he now resides with his family, highly respected by all. Married Deborah A. Cory in 1836, and has three children living: Mary, Edward, and Hattie E.

JOHN NELSON WEBSTER.—Was born in Sharon Springs, Montgomery County, New York, April 15, 1814, and is the son of John and Salina (Philipps) Webster. Having resided at his birthplace until he attained the age of sixteen years, during which time he received a common-school education. He then went to Albany, and, entering a dry-goods establishment, remained for nine years in that employ. Mr. Webster now moved to Fonda, Montgomery County, where he entered a drug and grocery business on his own account, and there remained until he determined to proceed to California. Early in the month of March, 1849, he sailed from New York, in the bark *Henry Honbeck*, via Cape Horn, for San Francisco, where he arrived on the 17th September. After a short stay in that city he set out for the mines, but being taken ill on his way to Stockton, he returned to the bay, and in San Francisco, in partnership with a fellow-passenger, H. P. De Graaf, started in a ship chandlery business, under the firm name of Webster, De Graaf & Owens, on board an old vessel in the harbor. Having paid a visit to the Eastern States in 1851, in the next year he returned, bringing his wife with him, and resumed business. In December, 1853, he sold out, but continued his residence in San Francisco until June 4, 1854, when he removed to Alameda, located on the place where he now resides, but still did business in the city for some sixteen years, thereafter doing business at 506 Montgomery Street; and built the house he now occupies, around which he has made many and varied improvements. Mr. Webster owns, besides, fifteen lots and four residences in the town of Alameda, and has retired from business. Is married, and has three children, viz.: Edgar W., Jane E. (now Mrs. George Sturtevant), and Morris Case.

CONRAD WELLER.—Was born in Germany, November 13, 1836, and there resided with his parents until the year 1852. Being then sixteen years of age, he emigrated to the United States, first settling in Baltimore, Maryland. Having in that city, and others of the Southern States, worked at his trade, in 1861, at the breaking out of the Rebellion, he made up his mind to proceed to California. Starting for New York, and experiencing much difficulty in passing through the Confederate lines, he sailed from that city to the Isthmus of Panama, finally landing in San Francisco, August 26, 1861, where he at once commenced working at his trade. In 1874 he purchased his present property, comprising some thirty-eight acres, situated three miles from Mission San José, where he has since been engaged in a general viticultural business, having about thirty acres laid out as a vineyard. Married, November 18, 1860, Miss Babetta Gsell, a native of Alsass, and has one child: Loretta C. W., born in San Francisco, California.

THOMAS D. WELLS.—Was born in Prince Edward County, Virginia, September, 2, 1828. In 1839 he was taken by his parents to Mississippi, where he learned the trade of blacksmith, and resided until March, 1851, when, in company with James W. Dougherty, he sailed from New Orleans by way of Panama, for San Francisco, where he arrived May 3, 1851. He went direct to Amador County, engaged at his trade, and resided there until the fall of 1868, when he came to Alameda County, leased his present farm, near Dublin, and carries on a general blacksmithing business. Married, December 31, 1854, in Amador County, Miss A. L. Fritze, a native of Baltimore, Maryland, and has six children, viz.: John, Charles, Lee, Edmund, Thomas, and Grace.

WILLIAM WHIDDEN (deceased).—The subject of this sketch, whose portrait appears in this work, was born in Portsmouth, New Hampshire, July 8, 1822, where he learned and followed the blacksmith's trade until 1847, when he moved to Exeter, and worked at his calling until April, 1850. At this period he came to California, followed mining for a short time, and located in Stockton, and engaged at his trade. In 1851 he returned to the Eastern States, but in the month of November came back

with his family and recommenced work. In August, 1852, he moved to San Francisco, and opened a blacksmith shop on Pine Street, between Montgomery and Sansome Streets, where he continued until 1855, when he once more visited the East, being accompanied by his friend, Henry Vesey. In October, 1855, the two companions returned, and passed the following winter in the mines at Alpha, Nevada. In the spring of 1858 he came to Alameda County, and engaged in farming near Centreville, but a few years after purchasing the Eighnbrodtt Ranch near Alvarado, he took up his residence there for some years, being associated with A. E. Crane. Subsequently proceeding to Haywards, he resided there for three years, and while there was Justice of the Peace. In 1878 he removed to Alameda, where he resided until his death on September 10, 1882, leaving a widow and three sons. During life Mr. Whidden was distinguished for his many excellent qualities, and his numerous charities to the poor. In death he is remembered as the kind husband and parent, the good friend and the excellent neighbor. Mr. Whidden was a member of the Board of Trustees of Alameda, and a member of high standing in the Masonic and Independent Order of Chosen Friends Lodges of that city. Married, August 14, 1845, Sarah H. A. Kennan, by whom there is a family consisting of George A., William G., and Myron A.

CHARLES CARROLL WHEELER.—Was born in Waterville, Kennebec County, Maine, June 17, 1834, and is the son of Heber and Sarah B. Pullon Wheeler. Having resided at his birthplace until he attained the age of nineteen years, during which time he attended school and lived on a farm, in April, 1853, he launched forth to battle with the world. At this period of his life Mr. Wheeler, in company with a sister, his brother-in-law John W. Hilton, and a cousin, W. P. Wheeler, now a resident of Oakland, sailed from New York for Australia, arriving in Melbourne about the middle of August, 1853, and immediately proceeded to the mines, where he remained for upwards of three years, and meeting with fair success. Upon the expiration of that time he returned to his native place, but six months subsequently, in November, 1856, he took passage to Panama on board the *Illinois*, and on the Pacific side in the steamer *John L. Stephens*, and arrived in San Francisco in the latter part of December. Four days later he proceeded to the mines in Tuolumne County, and there remained five years, when, disposing of his mining interests, he came to Alameda County, making the city of Fruit Vale his home in April, 1862. He there embarked in an express business with C. R. Stetson, between the towns of San Leandro, San Lorenzo, Alameda, Brooklyn, and the city of San Francisco, which he followed until 1867, and in the fall of that year selling out, he transferred his residence to Vacaville, Solano County, where he engaged in mercantile pursuits. Between three and four years thereafter Mr. Wheeler transplanted his business to Healdsburg, Sonoma County, and there resided until 1876. At this date, after an absence of twenty years, he visited his birthplace, six months thereafter returning to California, taking up his residence in Alameda County, and in January, 1877, leasing the Winsor House, in Oakland, which he has since managed with much success, demonstrating the fact that he can "keep a hotel." The Winsor House is a first-class hotel, and is located at the corner of Ninth and Washington Streets. Mr. Wheeler married in Columbia, Tuolumne County, April 17, 1859, Miss A. G., daughter of William Stetson, a native of Kingston, Massachusetts; and has three children, viz.: William R., Charles S., Gertrude P.

HON. GEORGE EDWIN WHITNEY.—Was born at Phillips, Franklin County, Maine, on the 19th day of September, 1836. His ancestors were English, and settled in Watertown, Massachusetts, in 1632. From this source, it is believed, has sprung most of those bearing the family name in the United States. His father was George W. Whitney, a man well known in his county for his intelligence, integrity, and public spirit. He held many minor positions of trust in the township government, and also was elected County Clerk in 1848, as a Free-soiler, in a county that had always been Democratic. After the expiration of his term he continued to reside

in Farmington, the county seat, engaged in mercantile business, until his death, in 1866. His wife, who still survives (1883), was the daughter of Capt. Peter Haines, a sterling pioneer of Livermore, Maine, the companion and neighbor of the Washburns, since distinguished in American affairs. The subject of the present sketch pursued his preparatory studies at Farmington Academy, and his collegiate course at the Wesleyan University, Middletown, Connecticut (class of 1857). His mother desired to make him a Methodist preacher, to which denomination both his parents were staunch adherents; but, although always respecting the teachings and sincerity of this powerful body, he never could be brought into the fold of its communion. Having in his junior years chosen to attend the Protestant Episcopal Church, with which he has ever since been identified, a free scholarship conferred by the Maine Conference out of respect for his parents, and intended to be reserved for candidates for the ministry, was, on the recommendation of the faculty of the college, transferred from him to another more likely to devote his talents to the holy calling. After graduation he passed one year as assistant librarian of the Free Library of Boston, and one year as local reporter on the *Boston Courier*, after which he returned to Maine, and read law in the office of Hon. Robert Goodenow, at Farmington. He had already seen too much of the world to be content to settle in a quiet country town, and as soon as he was admitted to the bar he left for California, in May, 1861. The Civil War had then just commenced, but its extent was not foreseen. In April an application had been made to Governor Washburn on behalf of the patriotic young men of Franklin County, Maine, to furnish a company for the war. Of the seventy-five thousand volunteers called out by President Lincoln, two regiments were assigned to Maine; but Governor Washburn, willing to show the loyalty of his native State, had authorized the formation of ten regiments, eight to be held in reserve. This was at a time when the lumbermen were returning in the spring from the logging-camps; they eagerly embraced the opportunity, and immediately filled the regiments, so that when the application made on behalf of Whitney and others to furnish a company was received there was no longer any opening in this direction. Under these circumstances it was, upon consultation with his friends, determined that there existed no reason for deferring his departure for California. He left New York May 21, 1861, on the *North Star*, and arrived in San Francisco June 13th on the steamer *Sonora*. After visiting several interior towns, he returned to San Francisco and entered the law office of Hon. Edward Tompkins (Tompkins & Compton), with whom he remained until near the close of the year, when he commenced the practice of his profession on his own account. In 1862, while law partner with C. H. Parker, under whose name the work was done, Mr. Whitney employed much time in annotating "Bancroft's Practice Act," the first work upon the Code of Civil Procedure published in this State. The final revision was almost wholly done by him. In 1865, believing himself sufficiently established to justify the step, he married Miss Mary L. Swearingen, formerly of St. Louis, Missouri, but, then residing in San Francisco with her mother and her sister, the wife of Justice Stephen J. Field. In 1867, upon the nomination for Governor of Hon. George C. Gorham, who for some time had held the office of Clerk of the United States Courts for the District of California, that position being considered an important and lucrative one, was urged upon Mr. Whitney. Apprehensions for his health, affected by close application to a business becoming important, induced him to make a choice which, under other circumstances, would have been unwise, involving, as it did, withdrawal for a time from the law, at a point in a professional career attained only after years of labor, and which, if once relinquished, is even more difficult to regain. In the Clerk's office there was plenty of work, if of a different kind. In it were collected the records and papers of the United States Circuit Court, those of the late Southern and Northern District Courts, and all the records from the Land Commission to ascertain and settle the Mexican land grants throughout the State. These had been kept by different clerks through a series of years, at different places,

and according to their various notions, and were in a state little different from one of confusion. These papers and records were all carefully scrutinized, arranged, and systematized, so as to be easily traced and found. The system then adopted has ever since been continued, both in the Circuit and District Courts. At the end of 1869 the new Circuit Courts had been organized, the clerks' offices of the Circuit and District Courts separated, and the appointment vested in different judges. Upon his retirement from office in 1870, Mr. Whitney spent one year in travel through the United States, Canada, and Europe, returning to California in 1871. Becoming impatient at the difficulty of rebuilding a practice in San Francisco, he went to Salt Lake City, which was then about entering upon a period of great prosperity on account of the mineral discoveries then being made in Utah Territory. He remained there, in an important and lucrative business, until the speculative period had passed. Desiring to give his growing family better advantages than were attainable at that place, he returned to Oakland, where he has remained ever since, in the practice of his profession. While residing in Salt Lake City, he was a careful observer of the enormities, both political and moral, practiced by the Mormons, under the cloak of religion. In 1874 he prepared a bill intended to meet some of the most pressing evils. It was introduced by Hon. Luke Poland, of Vermont, and is usually known as the "Poland Bill." Although subjected to some hostile amendments, it became a law at that session, and was the first practical remedial measure to be passed by Congress. Some of the features embodied in the more recent Legislation were also suggested by him, especially the provision of lodging all matters pertaining to elections in a Commission appointed by the President. Mr. Whitney has always been a Republican, and has taken an active interest in political affairs. He was Chairman of the Executive Committee of the Republican County Committee of Alameda County, in the Garfield campaign, when the county gave a majority of two thousand for the Republican electoral ticket. In 1882 he was elected to the State Senate from Alameda County, and served in that capacity in the Twenty-fifth Session of the Legislature. While the Legislature has too recently adjourned to speak particularly of the work of its members, it is not too much to say that Mr. Whitney was recognized by his colleagues of both parties as a careful and safe Legislator, whose voice and opinions always commanded attention and respect. Among the measures introduced by him were the following: An Act to provide for the separate custody of insane criminals; an Act on irrigation and water rights; an Act for the prevention of gambling by public officials and persons holding fiduciary positions; an Act to secure a representation of the industries and resources of California, at the International Exposition at Amsterdam; an Act providing for the support of aged persons in indigent circumstances.

EDWARD WIARD.—The subject of this sketch, whose portrait appears in this work, was born in New Haven, Connecticut, March 10, 1815, there received his education, and resided until 1835, in which year he proceeded to Georgia and engaged in steam-boating on the different rivers in that State, as engineer, until 1850. He then came to California, by way of Panama, arriving in San Francisco in the month of August of that year, but shortly thereafter proceeded to the mines in Mariposa County, where he remained three years. At the end of that time Mr. Wiard commenced mining on his own account, at which he continued until September, 1859, when, coming to Alameda County, he bought the place where he now resides, at the Oakland Trotting Park. The one hundred and fifty acres he then purchased, all of which he still owns, has located upon it the famous resort called Shell Mound Park, as well as the Oakland Trotting Park; while the principal portion of his property is laid out in gardens and rented, the picnic-grounds being leased to Captain L. Siebe, the "track" being under his own personal superintendence. Married in San Francisco, July 10, 1867, Mrs. Mary Jane Colcord, a native of Maine, and has one child, named George Edward Wiard.

MOSES WICKS.—The subject of this sketch, whose portrait appears in this work, was born in Rising Sun, Dearborn County, Indiana, August 28, 1819, and is the son of Zephonia and Catharine (Hetfield) Wicks. When eight years of age he went to Long Island, there learned the blacksmith's trade, and resided until the year 1840, after which he worked as a journeyman until sailing for California. Leaving New York in the fall of 1848, he took passage around the Horn, and arrived in San Francisco, after a tedious voyage of over nine months. Accompanied by Messrs. Mulford and Smith, both residents of Alameda County at the present time, he crossed the bay to what was then known as the Contra Costa shore, and commenced killing game for the San Francisco market, until April 1, 1850, when he proceeded to the mines, but only remaining some eight months, returned to his former occupation of killing wild-fowl on the shores of the San Francisco Bay. In 1852 he settled permanently in Alameda County, and in 1853, in partnership with Mr. Mulford, embarked in farming operations, which were continued for fifteen years, when, selling his interest, he retired from active participation in business affairs, and is now enjoying the comforts of a well-spent life. Married in 1845, Miss Catharine Terry, and has one surviving child, Jane A., now Mrs. Morgan.

JOHN P. WONDERLICH.—Was born in Carlisle, Cumberland County, Pennsylvania, November 5, 1830, where he was educated and resided until the year 1850, when he came to California *via* Panama, arriving in San Francisco in April. Soon thereafter he went to Coloma, El Dorado County, there engaged in mining until the fall of the year, when he bought an interest in a steam saw-mill—the first steam power introduced into that county. It was located at White Oak Springs. This enterprise he conducted at that place until 1851, when it was transferred to Spanish Dry Diggings, where it was operated until 1859. Mr. Wonderlich now turned his attention to farming, at the same place, an occupation he followed until 1862, when he opened the Pennsylvania House, on the Carson Road, about twenty miles above Placerville. There he remained until 1865, when he moved into Placerville, and commenced a truck and teaming business, which he carried on until 1876, when he came to Alameda County and embarked in a saloon, which, however, he abandoned in 1877, and purchased the Newport Baths in Alameda, a history of which appears in this work. Married, October 14, 1852, at Carlisle, Pennsylvania, Miss M. B. Gould, a native of Carlisle, Pennsylvania, and has five children, viz.: Katie (now married to J. B. Brandon), Ella M., Samuel G., Byron W., and Jessie P.

THOMAS S. WOODS.—Was born in Lewis County, Missouri, in August, 1854, on the farm of Latney Woods. At three years of age he was taken to Russia by Tom Colwell, with whom he resided until he became nineteen years of age, being chiefly employed in tobacco-raising. In 1872 he went to Galveston, Texas, with Joseph Colwell, and remained a year, engaged in attending to his horses after their purchase. Thence he proceeded to Salt Lake City, and two months afterwards started to California by railroad, where he arrived in 1873. Finding employment with Mr. Spates in Yolo County for a time, he subsequently was engaged in herding sheep for Mr. Culvertson. After this he spent a year in Sacramento, and then came to Oakland, worked for Mr. Sawyer, thereafter five years for Joseph Alexander, and then took up one hundred and sixty acres of good land on the line dividing Contra Costa from Alameda County, where he is making many improvements. Unmarried.

GIDEON WOODWARD.—Was born in Windsor County, Vermont, November 22, 1880, and is the son of Erastus and Sarah (Gilson) Woodward. Here he resided until the year 1842, during which time he fitted himself for a course in Dartmouth College, but did not proceed to that seat of learning. In the last-mentioned year he moved to Pike County, Illinois, and there commenced teaching school, but at the end of a few months he embarked in a general trading business, which he continued one year. In the fall of 1848 he moved to Natchez, Mississippi, where he became tutor in the family of Doctor Ogden. During the two years he was with this family, Mr.

Woodward commenced the study of medicine under Doctor Davis. Two years thereafter he entered Dartmouth College, where he attended a course of medical lectures, which he continued in New Orleans on his moving thither in 1843; thence he proceeded to Terre Bonne Parish, in the south of Louisiana, where he farther prosecuted his medical studies, finally graduating in New Orleans in the fall of 1847. Returning now to Terre Bonne Parish, he there practiced his profession until the month of December, 1848, when he came to California *via* Panama, where he remained ninety days, and thence in the ship *Humboldt*, anchoring in the harbor of San Francisco after a tedious passage of one hundred and two days. Mr. Woodward at once proceeded to Sacramento, whence he went to the north fork of the Yuba River, and there mined until the winter of 1849-50, when he returned to Sacramento, and in the spring removed to Volcino Bar, and Sandy Bar, with James W. Shanklin. In the fall of 1850 he was joined by his brother Erastus Woodward, when they embarked in a general trading business, and gold-dust exchange, which they found very profitable. In the fall of 1852 our subject removed to San Francisco, where he engaged in the flour and grain trade for a year and a half. From here he transferred the scene of his operations in 1854 to Marysville, Yuba County, and there conducted an hotel until the year 1861. Now, having accumulated several thousand dollars, Mr. Woodward returned to the Bay City, and in the spring of 1861 returned to the Eastern States for the purpose of visiting his father and mother. The fall of 1861 saw him once more in the Golden State, located in the Santa Clara Valley, and interested in the Bank of Gilroy, Hollister, and Salinas. In 1875 he removed to the city of Oakland, Alameda County, where he now resides, having earned the comforts of a well-spent life. Married, December 28, 1853, Bertha Dufficy, who died October 2, 1882, by whom he had a family of eight children, viz.: Sarah T. (now Mrs. O'Brien), George, (now in Mexico), John A. (a resident of Marysville), Alice M., Michael E., Jennie L., Josephine, and Bertha.

JOHN WOOLLEY.—This well-known resident of Berkeley is a native of Cheshire, England, born February 25, 1827, and resided until twenty years of age, in the meantime learning the trade of boiler-maker. In 1847 he emigrated to America, locating in Philadelphia, where he found employment at his trade until January 14, 1852, when he concluded to seek his fortune in the Golden State, arriving in San Francisco on the 16th of the following June. Mr. Woolley first found employment in Sacramento, and afterwards in San Francisco, until the Centennial year, when he came to Oakland, and in 1880 established his present business. Married in 1860 to Miss Mary J. Mellon.

J. B. WYMAN.—Business manager of the *Oakland Times*, was born at Olmsted, Cuyahoga County, Ohio, June 12, 1841. Was educated at Baldwin University, Berea, Ohio. He went to Chicago in the spring of 1859, and from that time down to 1877 he was engaged in mercantile pursuits in Chicago, Kansas, and Texas. He came to Oakland in October, 1877, purchased the *Oakland Transcript*, January 8, 1878, had the name changed to the *Oakland Daily Times*, which under his able management has gradually grown in importance, until it now fills the first place in the journalism of Alameda County.

WATKIN WILLIAM WYNN.—Was born in the west of England, August 27, 1827. At the age of twenty-three years he emigrated to the United States; first settled in Ohio, and resided in the town of Pomeroy, Meigs County, in that State. Engaged in the grocery business until he started for California. On April 9, 1852, he turned westward, to Independence, Missouri, where, joining a train, he crossed the plains, and after many hair-breadth escapes, arrived at Yreka, September 21st of the same year. His first three years' residence in this State were passed in the mines; he afterwards embarked in the cattle trade, proceeding to Oregon to purchase beeves, and driving them into California. In 1859 he drove a band of steers through the Livermore Valley to Haywards, and settling on the place now owned by David

Thomas, better known as the Boomer Ranch, there resided until 1866. In that year he disposed of his property, and took up his residence in Livermore Valley, leasing land for which he paid a sum total of \$30,000. In 1881 Mr. Wynn purchased his present farm of three hundred and twenty acres, situated five miles east of the town of Livermore, where he is engaged in general farming. He never married.

JOHN YULE.—Was born in Yorkshire, England, November 30, 1845. At a very early age his parents removed to Jo Daviess County, in the northern part of Illinois, where our subject grew up, attending the common schools of the district for two or three months each winter. In the spring of 1862, in company with several of his early acquaintances, Mr. Yule left his father's house, intending to try his fortune in gold mining in Cariboo in British America. Arriving in San Francisco, however, the news from Cariboo was so discouraging that the party separated, some returning home, some going to Washoe, Nevada, and others to Nevada County, in this State. Mr. Yule joined the party going to Nevada County, where a few days after his arrival he obtained work with Messrs. Gregory & Borines, who then owned a large saw-mill among the timber lands, between Nevada City and Red Dog, in Nevada County, where he continued to work until the mill was shut down for the season. The following winter he obtained employment in the mines at Red Dog, working for the Mallery Brothers at that place, where he continued to work until the following spring, when he transferred the scene of his operations to Plumas County; there he followed mining for several years, meeting with the ups and downs, but principally the downs, and the kindred experiences of a miner's life. Having saved some money, however, and feeling the need of a better education than he then possessed, in the year 1864 he entered the University of the Pacific, at Santa Clara. After spending some eighteen months in the University he again returned to Plumas County, and engaged in mining. In the fall of 1867 he came to Alameda County, where he engaged in teaching. In the following year he was elected Principal of the Grammar School at Haywards, which position he held four years, resigning the same to accept the position of Deputy County Clerk, under J. V. B. Goodrich, which position he likewise held under Charles G. Reed. While acting as Deputy County Clerk he began reading law, and was admitted to the bar in 1877. In the fall of that year he was elected to the office of Justice of the Peace of Oakland Township, for a term of two years. In 1880 he was elected Police Judge of the city of Oakland; and in the spring of 1882 Mr. Yule was elected City Attorney of Oakland, which office he now holds. Married Miss Sarah S. Beach, a sister of Capt. C. W. Beach, of San Francisco, in 1882.

ADDENDA.

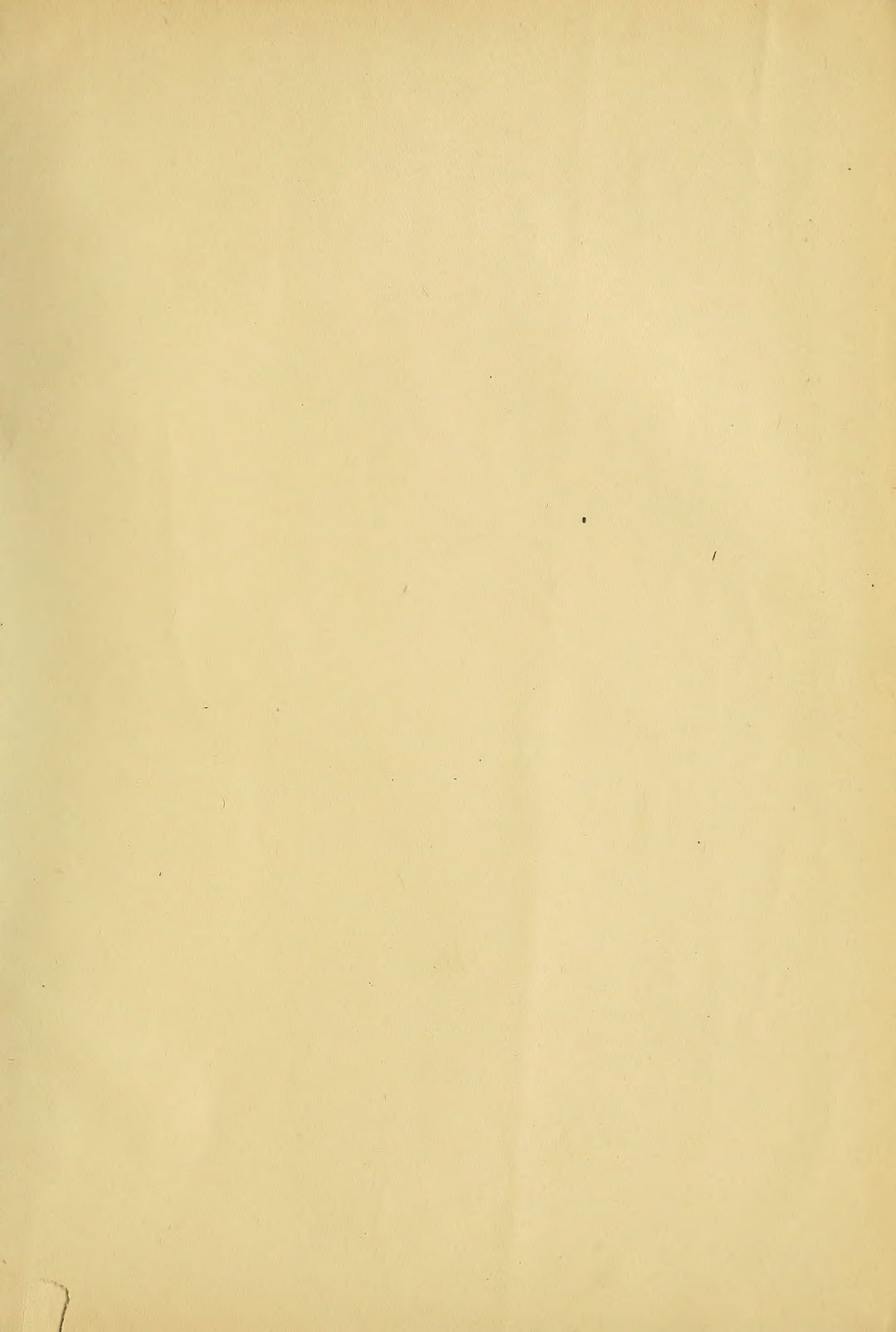
The following biographical sketches were received too late for insertion in their proper places:—

EDSON ADAMS.—The subject of this sketch, whose portrait appears in this history, was born in Fairfield County, in the State of Connecticut, on the 18th day of May, 1824. He is a descendant, on the paternal side, of Edward Adams, who settled in New Haven, Connecticut, in 1640, and on the maternal side, of Edward Nash, who settled in Norwalk, Connecticut, in 1654, these ancestors being among the pioneers of New England. At an early age Mr. Adams engaged in trade, and continued therein until he sailed for California in January, 1849, arriving at San Francisco in July of the same year. In the following September he went to the mines, returned to San Francisco in March, 1850, and proceeded to examine the country around the bay of San Francisco for a suitable point at which to lay out and establish a town; and finally, on the 16th day of May, 1850, he located permanently at a point now known as the foot of Broadway, Oakland. The place was a wilderness, no inhabitants being then on the Encinal of Temescal, afterwards known as the town of Oakland. Here he located one hundred and sixty acres, then supposed to be public domain. His location lay on either side of the present Broadway, and extended from the Estuary of San Antonio northerly to about where Fourteenth Street now runs. Afterwards Andrew Moon located one hundred and sixty acres on the west, and later came H. W. Carpentier, who located one hundred and sixty acres on the east of Mr. Adams. Others soon followed and located, until the whole country around was occupied by settlers, and so remained in their exclusive possession for years, with a few isolated exceptions. These early settlers of Oakland and vicinity, as a class, were young, intelligent, and energetic. In the latter part of 1851, Mr. Adams, with Carpentier and Moon, employed Julius Kellersberger and others to survey, lay out, and set the stakes, and make maps and plats (which included the three locations above named) of the town of Oakland. Mr. Adams was elected to fill various offices, and served to the satisfaction of the then residents of Contra Costa and Alameda Counties. A few of these enterprising young men determined on founding a town, possibly a city, and time has proved the wisdom of their foresight, notwithstanding the disadvantages experienced by them during the first few years, on account of the few families then in California, as most of those who came here were either single, or had left their families behind them. The inducements at that time to follow trade and mining, also prevented many who otherwise would have located in Oakland from doing so. The want of proper ferry communications between Oakland and San Francisco was a great drawback to the building up of the town. By great exertions, steamboat owners were induced to make occasional excursions from San Francisco to the proposed town, then called Contra Costa. At last a company was induced to establish ferry communication, at least a round trip a day. The fare at first was a dollar each way, but it was soon reduced to fifty cents each way, with the chances of being detained, by foggy weather, five or six hours on a trip. Mr. Adams has been, and now is, engaged in various enterprises on the Pacific Coast. On May 3, 1855, he was married to Miss Hannah J. Jayne, their issue being Julia P., Edson F., and John C. Adams. Mr. Adams still resides in Oakland, surrounded by his family.

RAWDON ARNOLD, M. D.—Was born in Romeo, Michigan, July 4, 1830, and is descended from the good old Puritan stock, his parents being both the offspring of English people, whose genealogy is traced to the days of long ago. Having received his preliminary education in the Armada High School, and the Michigan Normal School, he subsequently, in 1857, graduated from the Medical College of St. Louis, and at once entered upon the practice of his profession in the State of Missouri. In 1864 he embraced Homeopathy, and has since devoted himself to it, without once regretting the change from Allopathy. In 1871 he came to California, and after practicing with much success in Marysville, in 1877, moved to Oregon, located in Portland, and was in practice there till October, 1881, in which year he returned to California, and settled in Brooklyn, Alameda County. In 1882 Dr. Arnold returned to the East, attended a course of lectures at the Kansas City Hospital Medical College, and in February, 1883, returned to Oakland, and opened his present office at No. 1068 Broadway, making a specialty of nervous diseases. On the breaking out of the war Dr. Arnold was a resident of Missouri. He lost at the time all his property and had to begin life again with nothing. He entered the army, and followed the fortunes of the Federal forces till the close of hostilities. He has been twice married. Firstly, in 1859; and, secondly, in 1870, to Miss Martha A., daughter of Charles Fergusson, of Mexico, Missouri, and has four children, viz.: Edwin M., Charles A., Leona A., Nellie Custer.

SOLOMON M. BABBITT.—Was born in Austinburgh, Ashtabula County, Ohio, August 7, 1824, and is the son of David and Eunice (Curtis) Babbitt. Having been taken by his parents to Saybrook, in the same county, he there resided until 1837, in the spring of which year he accompanied his parents to Naperville, Du Page County, Illinois, where he lost his mother, after whose death he concluded to come to California. Traveling by way of the plains he reached Hangtown, where he engaged in mining for a year, then returned to Illinois, purchased his father's farm and that adjoining, which renting he established himself in business in Algonquin, McHenry County, in the same State, and during the Rebellion served as United States Marshal there. He now added the lumber trade to his other affairs, and followed it until 1869, when he moved to Elgin, Kane County; but in November, 1874, once more came to California, bringing his wife and family with him. Locating in Oakland, he established himself as a wholesale commission merchant, and is now the senior partner in the firm of Babbitt, Manuel & Gilpin, at No. 471 Eleventh Street. Mr. Babbitt was elected to the City Council of Oakland for the Second Ward, in March, 1883. Married, in Naperville, Miss Lucinda Balch, and has two children, viz.: Mary (now Mrs. Z. T. Gilpin), and Hattie.

SAMUEL K. HASSINGER.—Was born in Newark, New Castle County, Delaware, April 27, 1826, where he resided until he reached the age of twenty-two years, his boyhood having been passed on his father's farm. He then learned the carpenter's trade and followed it until 1849. In the month of March of that year he emigrated with his wife and family to Marion County, Missouri, where, working at his trade, and farming, he resided three years. In April, 1852, accompanied by his wife, he started with ox-teams across the plains to California, arriving at Stockton six months afterwards. Here Mr. Hassinger located for about three years and a half, subsequently removing to where now is the town of Copperopolis, and there engaged in mining for about a year, at the end of which he transferred the field of his operations to Knight's Ferry, there mining also. While a resident of this place, in 1857, he held the office of Justice of the Peace, being afterwards Deputy Sheriff. In 1862 he left the place for San Francisco, and followed his trade until 1867, when he came to Oakland, where he now resides. Mr. Hassinger has filled the office of Deputy Township Assessor under the administrations of Messrs. Whetcher and Robinson, and in October, 1881, was elected to the position of Sanitary Inspector of the Health Office, which he held for eighteen months. His present residence, No. 611 Seventeenth Street, he built in 1872.



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